

SIXTY-EIGHTH DAY

(Monday, May 25, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father in heaven, give us faith to believe in the ultimate triumph of truth. Help us to see that it is better to fail in a cause that will ultimately succeed than to succeed in a cause that will ultimately fail, and that if the truth shall make us free we are free indeed. We pray in Christ's name. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 22, 1953, was dispensed with and the Journal was approved.

Message from the House

Hall of the House of Representatives.

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. J. R. No. 5, Proposing an amendment to the Constitution of the State of Texas fixing the salaries of certain constitutional officers by amending Section 4 of Article 4 of the Constitution of the State of Texas and Section 5 of Article 4 of the Constitution of the State of Texas as amended by adoption of Senate Joint

Resolution No. 14 of the Regular Session of the 44th Legislature by a vote of the people on November 3, 1936, fixing the salary of the Governor at Twenty-five Thousand (\$25,000.00) Dollars per annum; by amending Section 33 of Article 4 of the Constitution of the State of Texas as amended by adoption of Senate Joint Resolution No. 14 of the Regular Session of the 44th Legislature by a vote of the people on November 3, 1936, fixing the salary of the Attorney General at Fifteen Thousand (\$15,000.00) Dollars per annum; etc.

(With amendments.)

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Resolution 298

Senator Willis offered the following resolution:

Whereas, We were honored May 14, 1953 to have in the gallery the senior class of Lake Worth High School, Fort Worth, Texas, accompanied by Mrs. R. W. Nations; and

Whereas, This senior class and guest were on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens was here to observe and learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize this fine class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to each in recognition of their visit.

The resolution was read and was adopted.

Reports of Standing Committees

Senator Strauss submitted the following reports:

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 274, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRAUSS, Chairman.

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 236, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRAUSS, Chairman.

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 188, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRAUSS, Chairman.

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 193, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

STRAUSS, Chairman.

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 251, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRAUSS, Chairman.

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 256, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRAUSS, Chairman.

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 82, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRAUSS, Chairman.

House Bill 801 Re-referred

On motion of Senator Lane and by unanimous consent of the Senate H. B. No. 801 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties and County Boundaries.

House Bill 769 Re-referred

On motion of Senator Aikin and by unanimous consent of the Senate H. B. No. 769 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties and County Boundaries.

Senate Concurrent Resolution 68

Senator Aikin offered the following resolution:

S. C. R. No. 68, Clarifying the effect of H. B. No. 886 on vacations for employees of the State.

Whereas, H. B. No. 111, Acts of the Fifty-third Legislature, authorized certain employees of the State vacations for a period not exceeding eighty-eight normal working hours; and

Whereas, Such number of hours was adopted in consideration of the forty-four hour work week therein provided with the intent of providing a two-week vacation period; and

Whereas, The Legislature, through H. B. No. 886, has reduced the hours of work of such employees to forty, but did not expressly make like provision for reduction of the total hours of vacation period; now therefore, be it

Resolved, By the Senate, the House of Representatives concurring: That the Legislature did not intend by the enactment of H. B. No. 886 to extend the vacation period beyond the two-week period contemplated by H. B. No. 111; and that the Legislature declares the purpose of such bills is to provide a vacation period for the

employees covered thereby not to exceed two normal work weeks.

The resolution was read.

On motion of Senator Aikin and by unanimous consent of the Senate, the resolution was considered immediately and was adopted.

Senate Resolution 299

Senator Shireman offered the following resolution:

Whereas, We are honored today to have in the gallery the senior class of Riviera High School, Riviera, Texas, accompanied by their teacher; and

Whereas, These students and guest are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the working of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Shireman presented the class and their teacher to the Members of the Senate.

Presentation of Guests

Senator Russell, by unanimous consent of the Senate, presented his sister, Mrs. John D. Milburn and son, Marc, to the Members of the Senate.

House Concurrent Resolution 125 on Second Reading

The President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 125, Suspending the Joint Rules to consider H. B. No. 871 at any time.

The resolution was read the second time and was adopted.

House Concurrent Resolution 114 on Second Reading

The President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 114, Suspending the Joint Rules to consider H. B. No. 413 at any time.

The resolution was read the second time and was adopted.

House Concurrent Resolution 127 on Second Reading

The President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 127, Suspending Joint Rules to consider H. B. No. 916 at any time.

The resolution was read the second time and was adopted.

House Concurrent Resolution 130 on Second Reading

The President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 130, Suspending Joint Rules to consider H. B. No. 911 at any time.

The resolution was read the second time and was adopted.

Senate Resolution 300

Senator Hardeman offered the following resolution:

Whereas, Texas is a land of legend, a land of song, a land of hallowed and heroic memories, whose history is filled with tales of romance and replete with the heroic sacrifices of soldier, priest and citizen, all accomplished with a glory and patriotism unexcelled by any people; and

Whereas, Few have contributed more to the history of the world, and especially to Texas and her glorious past, than Stephen F. Austin, called the Father of Texas, Colonel David Crockett, a defender of the Alamo on "one of the most pathetic days of time," and around whose funeral pyre lay the bodies of a large number of the enemy, whose spirits he had taken with him to Valhalla, and General Sam Houston, the hero of San Jacinto, Governor of two states, President of the Republic of Texas, United States Senator, and friend and protege of Andrew Jackson; and

Whereas, The independence of Texas had its military baptism at the historic Alamo, known as the "Palladium of Texas Liberty," followed in quick succession by the massacre at

Goliad, climaxing in the battle of San Jacinto and the surrender of General Lopez de Santa Anna, the self-styled Napoleon of the West; and

Whereas, With painstaking effort and remarkable attention to detail the artist has undertaken to capture with his brush and palette, and transfer to canvas, the spirit of Texas, and has portrayed some of her founders and heroes, and has depicted the awe-inspiring events which changed the course of history and civilization, and affected the destiny of the world, in such outstanding works of art as now adorn the walls of the Capitol in the portrayals of Colonel David Crockett and the surrender of Santa Anna, by the artist William H. Huddle, and in the Senate Chamber, where the magnificence and grandeur of H. A. McArdle's portrayals of "Dawn at the Alamo," and "The Battle of San Jacinto" hang in the watchful and approving gaze of the Father of Texas; and

Whereas, It is highly imperative and of the utmost importance to Texans, be they native-born or adopted sons, to preserve for posterity those portraits which so fire the patriotism of our citizens and those permitted to view these irreplaceable portraits and scenes which defy reproduction; and

Whereas, It is the desire of the Senate of the Fifty-third Legislature of Texas, to show its appreciation and gratitude, both for the individuals and the events depicted, as well as for the efforts of those great artists, by affording proper treatment by approved methods of conservation of these world-renowned, outstanding and priceless paintings; now, therefore be it

Resolved, By the Senate of Texas, that the Lieutenant Governor of Texas appoint a committee of five, one of whom shall be the Lieutenant Governor of Texas, and two members of which shall be members of the Senate, together with two other citizens, to investigate the matter of conservation and preservation of these objects of art, and that the sum of \$7,500, or as much thereof as may be necessary, be spent out of the contingent expense fund of the Senate for such purpose, upon voucher drawn by the Lieutenant Governor and the chairman of the Contingent Expense Committee of the Senate.

HARDEMAN
LANE

The resolution was read and was adopted.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

H. B. No. 254, A bill to be entitled "An Act amending Article 4498a, Article 4499, Article 4499a, Article 4500, Article 4501, Article 4502, Article 4506, Article 4509, of the Revised Civil Statutes of Texas; providing for repeal of Article 4507 and Article 4508 of the Revised Civil Statutes of Texas; amending Article 743 of the Penal Code of Texas, requiring registration of licensed physicians, providing for duplicate licenses and endorsements, providing for temporary permits, making provision for the compensation of Board members, providing a fee for license and reciprocal agreements, providing fees for examination and provision for revocation, cancellation and suspension, providing for the powers and duties of the Texas State Board of Medical Examiners, repealing all laws and parts of laws in conflict herewith, providing severability, and declaring an emergency."

H. B. No. 380, A bill to be entitled "An Act amending Section 5 of Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, relating to restrictions on drivers of Public Junior College school buses and public or common carriers, by reducing the minimum age of Public Junior College school bus drivers from 21 years to 17 years; and declaring an emergency."

H. B. No. 419, A bill to be entitled "An Act to amend Articles 4357, 4358, and 4359 of the Revised Civil Statutes of 1925, as amended by Chapter 243, H. B. 495, Acts of the Regular Session of the Forty-second Legislature; and Article 4359 as also amended by Chapter 274, paragraph 1, of the Forty-ninth Legislature, relating to systems and methods of issuing warrants by the department of the Comptroller of Public Accounts; and declaring an emergency."

H. B. No. 469, A bill to be entitled "An Act amending Article 1112, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 525, A bill to be entitled "An Act to amend Subsection A of Section 5 of H. B. 168, Acts 1947, Fiftieth Legislature, Chapter 352, regulating retirement compensation for State employees, by adding a provision entitling any member to his service retirement allowance who shall have completed twenty years or more of creditable service as a law enforcement officer of the Department of Public Safety, Game and Fish Commission, Liquor Control Board, of the State of Texas; and declaring an emergency."

H. B. No. 540, A bill to be entitled "An Act to amend Article 7331, Chapter 10, Title 122, of the Revised Civil Statutes of Texas, 1925, as amended by the Acts of the Fourth Called Session of the 41st Legislature, 1930, Chapter 20, page 30; providing for the fees of the tax collector for collecting delinquent taxes; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 556, A bill to be entitled "An Act amending Section 44, Acts of the 50th Legislature, Chapter 421, page 967, being also known as Section 44 of Article 6701d, of Vernon's Revised Civil Statutes of Texas, by increasing to ten (10) days the time in which a written report of an accident is required; providing a penalty for failure to report an accident; fixing the venue for the prosecution of such offense; providing a saving clause and declaring an emergency."

H. B. No. 614, A bill to be entitled "An Act amending Article 973, Revised Civil Statutes of Texas, 1925, by providing for discontinuing sparsely settled territory as a part of an incorporated city or town; repealing conflicting laws; and declaring an emergency."

H. B. No. 628, A bill to be entitled "An Act to add a new Section to Article 1645, Revised Civil Statutes of Texas, 1925, as amended; providing for salaries for County Auditors in counties having a population of five hundred thousand (500,000), or more, according to the last preceding Federal Census; providing for minimum and maximum salaries and the method of payment for same; providing for the manner of appointment and determining and fixing of the salaries; providing for the repeal of conflicting laws with exceptions and specifically repealing Section (g), Article 3912e-2,

Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 641, A bill to be entitled "An Act waiving and quitclaiming the reversionary interest of the State of Texas in and to certain lands in Bexar County, Texas, owned by the Eden Home for the Aged, Incorporated; and declaring an emergency."

H. B. No. 670, A bill to be entitled "An Act to amend Article 678, of Vernon's Code of Criminal Procedure of the State of Texas of 1925, to provide that if the jury disagrees as to the statement of any witness, upon applying to the court, they may have read to them from the court reporter's notes that part of such testimony on the point in dispute; repealing all laws and parts of laws of this State in conflict with the Act to the extent of such conflict only; and declaring an emergency."

H. B. No. 845, A bill to be entitled "An Act to amend Chapter 465, Acts of the Fifty-first Legislature, creating Eastland County Water Supply District, relating to the number of directors of the District and the manner of their election; enacting other provisions relating to the subject; and declaring an emergency."

H. C. R. No. 44, Granting John Byron Colby permission to bring suit against the State of Texas.

H. B. No. 281, A bill to be entitled "An Act authorizing and directing the Board of Texas State Hospitals and Special Schools, acting by the executive director thereof, to execute and deliver a release of a sanitary sewer easement on certain land in Travis County, Texas, to the owner of said land; and declaring an emergency."

H. B. No. 277, A bill to be entitled "An Act amending Article 2618, Revised Civil Statutes of the State of Texas, 1925, providing for courses of study at the Tarleton State College; and declaring an emergency."

H. B. No. 108, A bill to be entitled "An Act amending Article 1728, Revised Civil Statutes of Texas of 1925, as amended, defining the appellate jurisdiction of the Supreme Court of Texas; amending Article 1821, Revised Civil Statutes of Texas of 1925, as amended, defining the final appellate jurisdiction of the Courts of

Civil Appeals so as to harmonize it with Article 1728 as herein amended; fixing the effective date of this Act and declaring the effect of the amendment on pending business; and declaring an emergency."

H. B. No. 561, A bill to be entitled "An Act creating the Constitutional office of District Attorney for the Criminal District Court of Harris County; providing for the election, tenure of office and prescribing the qualifications, powers, duties and compensation; providing for the appointment of assistants, investigators, reporters and secretaries; providing for their compensation, prescribing their powers and duties; abolishing the office of Criminal District Attorney of Harris County; providing for the appointment of a District Attorney by the Governor on September 1, 1953; providing that the Criminal District Attorney shall transfer all criminal matters to the District Attorney and all civil matters to the County Attorney; providing for a severability clause; providing for a repealing clause; providing that this Act shall be operative on September 1, 1953; and declaring an emergency."

H. B. No. 553, A bill to be entitled "An Act repealing Chapter 220, page 339 of the Acts of the Regular Session of the 48th Legislature, 1943, prohibiting the transportation of minnows in excess of five hundred (500) in Jasper and Newton Counties; and declaring an emergency."

H. B. No. 535, A bill to be entitled "An Act to clarify and amend Section Four (4) of Article 2135 of the Revised Civil Statutes of Texas, 1925, so as to provide that physicians, dentists, and attorneys engaged in actual practice shall be exempt from jury service, and declaring an emergency."

H. B. No. 487, A bill to be entitled "An Act authorizing the refunding of defaulted obligations owned by the State Available School Fund; provided such obligations shall have been continuously in default for at least fifteen (15) years; prescribing the conditions and limitations on the issuance, acceptance and exchange of refunding bonds issued in lieu of such defaulted obligations; providing that refunding bonds bearing the same rate of interest may be accepted in lieu of matured or unmatured bonds held for the State Permanent School Fund;

providing a severability clause; making this Act cumulative of all other laws on the subject; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 437, A bill to be entitled "An Act amending subsection (6) of Section 1, of Chapter 544, General Laws, 47th Legislature, Regular Session, page 873, being codified as subsection (6) of Section 1 of Article 2654c, Vernon's Civil Statutes, and pertaining to the provision for members of designated Armed Services of the United States, and their husbands, wives, and children to enroll in institutions of higher learning in this State by paying the tuition fees and other fees or charges provided for residents of the State; providing a saving clause; and declaring an emergency."

H. B. No. 398, A bill to be entitled "An Act to amend Article 5517 of the Revised Civil Statutes of Texas, 1925, as amended, so as to provide that the right of the State, all counties, incorporated cities and all school districts shall not be barred by any of the provisions of this Title, nor shall any person ever acquire, by occupancy or adverse possession, any right or title to any part or portion of any road, street, alley, sidewalk, or grounds which belong to any town, city, or county, or which have been donated or dedicated for public use to any such town, city, or county by the owner thereof, or which have been laid out or dedicated in any manner to public use in any town, city, or county in this State; and declaring an emergency."

H. B. No. 379, A bill to be entitled "An Act amending Article 634 of Vernon's Civil Statutes, Chapter 167, Acts of the 36th Legislature, Regular Session, 1919, as amended by Chapter 17, Acts of 41st Legislature, Regular Session, 1929, by adding a new paragraph requiring the State Board of Control to purchase manufactured products of visually handicapped persons or workshops for the blind; and declaring an emergency."

H. B. No. 314, A bill to be entitled "An Act amending subsection (d) of Section 2 of Subdivision I of Article I of Chapter 421, page 967, of the Acts of the 50th Legislature, being also known as the subsection (d) of Section 2 of Subdivision I of Article I of Article 6701d of Vernon's

Revised Civil Statutes of Texas, 1925, to include ambulances, and emergency vehicles of municipal departments and public services corporation designated by governing bodies of incorporated cities, within the definition of 'Authorized Emergency Vehicle'; and declaring an emergency."

H. B. No. 312, A bill to be entitled "An Act authorizing State departments, boards, bureaus, and other agencies to contract with each other for furnishing the services of employees, materials and equipment; providing for the approval thereof by the Board of Control; authorizing interagency reimbursements; requiring certain information in annual reports; and declaring an emergency."

H. B. No. 305, A bill to be entitled "An Act amending Article 2874, Revised Civil Statutes of 1925, which is also Section 38, Chapter 176, Acts of 39th Legislature, R. S., 1925, reducing the amount of performance bond to be carried by local school districts covering textbooks assigned to them; and declaring an emergency."

H. B. No. 304, A bill to be entitled "An Act to amend Article 2696 of the Revised Civil Statutes of 1925, as amended by House Bill No. 492, Acts 44th Legislature, Regular Session, 1935, Chapter 201, changing and fixing the time for permissible transfer of scholastics on parental applications; amending Article 2698 of the Revised Civil Statutes of 1925, as amended by Senate Bill No. 62, Acts of 42nd Legislature, First Called Session, 1931, Chapter 37, changing and fixing the time provisions on emergency transfers for State apportionment purposes; amending Article 296 of the Revised Penal Code of the State of Texas of 1925, to conform and correlate with Article 2698, supra, as amended herein, and with proposed submitted amendments of Article 2816 of the Revised Civil Statutes of 1925, the scholastic census statute, now before the 53rd Legislature; and declaring an emergency."

H. B. No. 303, A bill to be entitled "An Act to amend Article 2816 of the Revised Civil Statutes of 1925, changing the time requirements for the taking of the annual scholastic census and other supplemental census; amending Articles 2817, 2819, 2820 of the Revised Civil Statutes of 1925; amending Sections 1 and 2 of Senate Bill No. 419, Acts of 47th Leg-

islature, R. S., 1941, Ch. 113, (codified Article 2816a, V. A. C. S.); amending Sec. 1 of Senate Bill No. 232, Acts of 42nd Leg., R. S., 1931, Ch. 33 (codified Article 2817a, V. A. C. S.); amending Article 2821, Revised Civil Statutes of 1925, as amended by House Bill No. 572, Acts of 51st Legislature, R. S., 1949, Ch. 379; amending Sections 1 and 2 of Senate Bill No. 42, Acts of 47th Leg., R. S., 1941, Ch. 15 (codified Article 2822a, V. A. C. S.), all of which statutes are companionate statutes to Article 2816, supra, and are amended to correlate with Article 2816 as amended herein."

H. C. R. No. 119, That the Enrolling Clerk of the House be instructed to make certain corrections in House Bill No. 437.

H. C. R. No. 30, Authorizing the State Treasurer to charge notes off upon the records of his office and deposit the same in the State Archives of this State.

H. C. R. No. 15, Granting permission to Harold Kalitta to sue the State of Texas.

H. B. No. 920, A bill to be entitled "An Act validating county-wide election proceedings heretofore had for the issuance of county bonds for purposes of flood control, drainage, or irrigation, with certain exceptions; etc.; and declaring an emergency."

H. B. No. 576, A bill to be entitled "An Act prescribing what labels shall be printed in textbooks; amending Article 2876c, Revised Civil Statutes of 1925; repealing Article 2859, Revised Civil Statutes of 1925; and declaring an emergency."

H. B. No. 887, A bill to be entitled "An Act validating the incorporation of towns or villages heretofore incorporated or attempted to be incorporated under Chapter 11 of Title 28 of the Revised Civil Statutes of Texas, 1925; providing that the provisions hereof shall affect no town or village now in litigation; and declaring an emergency."

H. B. No. 884, A bill to be entitled "An Act providing an open season for deer in Wood and Upshur Counties; prescribing a penalty; repealing all laws in conflict; and declaring an emergency."

H. B. No. 879, A bill to be entitled "An Act to create Road District No.

6, Cherokee County, Texas, and specifically setting out its boundaries, etc., and declaring an emergency."

H. B. No. 667, A bill to be entitled "An Act validating, ratifying, approving, and confirming the acquisition of certain lands for use as county parks in counties having a population of Five Hundred Thousand (500,000) or more, according to the last preceding Federal census, heretofore acquired and operated by such counties as county parks; validating, ratifying, approving and confirming certain tax levies and proceedings had or authorized by the Commissioners' Court of such counties for the improvement and operation of such parks; and declaring an emergency."

H. B. No. 873, A bill to be entitled "An Act making it unlawful to take, hunt, kill, or attempt to kill wild deer or wild turkey in Throckmorton County for a period of two years from and after the effective date of this Act; providing a penalty therefor; and declaring an emergency."

H. B. No. 829, A bill to be entitled "An Act providing and making a transfer of One Thousand and Five Hundred Dollars (\$1,500), in the Chiropractic Examiners Fund Account No. 140, in the State Treasury previously appropriated by H. B. No. 426, Chapter 499, Acts of the Fifty-second Legislature, 1951, from 'Board Members Per Diem' to 'Traveling Expense'; and declaring an emergency."

H. B. No. 771, A bill to be entitled "An Act amending subsection 102 of Article 199 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 16, Acts, 1925, Thirty-ninth Legislature, Regular Session, as amended by Chapter 253, Acts, 1933, Forty-third Legislature, Regular Session, as amended by Chapter 103, Acts, 1933, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts, 1935, Forty-fourth Legislature, Regular Session, as amended by Chapter 141, Section 1, Acts, 1937, Forty-fifth Legislature, Regular Session, providing for the time of holding the terms of Court of the District Court of the 102nd Judicial District of Texas in Bowie and Red River Counties; providing that during each term of said Court in Bowie County, Texas, the Court may sit in Texarkana, Texas, for the trying, hearing and determining of non-jury cases and matters; permitting

the District Clerk of Bowie County to transfer records and minutes to Texarkana, Texas, and vice versa; etc., and declaring an emergency."

H. B. No. 770, A bill to be entitled "An Act amending subsection 5 of Article 199, Revised Civil Statutes of Texas of 1925, as amended by Chapter 254, Acts 1933, 43rd Legislature, as amended by Chapter 104, Acts 1933, 43rd Legislature, special laws, page 147, as amended by Chapter 159, Acts 1935, 44th Legislature, as amended by Chapter 143, Section 1, Acts 1937, 45th Legislature, as amended by Chapter 3, Acts 1939, 46th Legislature, as amended by Chapter 287, Section 1, Acts 1943, 48th Legislature, and as amended by Chapter 216, Acts 1951, 52nd Legislature, providing for the terms of court for Bowie and Cass Counties; etc., and declaring an emergency."

H. B. No. 671, A bill to be entitled "An Act to allow the Commissioners Court in certain counties to fix the salaries of the District, County and Precinct Officers and all deputies and employees of such counties; to provide that the Commissioners Court shall fix the number of deputies and employees of certain District, County and Precinct Officers; to provide for automobile allowance for certain officers and employees; providing for additional compensation from county funds for the County and District Judges of such counties; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 11, A bill to be entitled "An Act amending Article XVII, Chapter 184, Acts of the Regular Session of the 47th Legislature, as amended by Chapter 298, Acts of the Regular Session of the 48th Legislature, as further amended by Section XXII, Chapter 402, Regular Session of the 52nd Legislature, by adding to Section 2 of said Act a new subsection to be numbered as subsection (f), providing for the volume correction of motor fuel sold for the purpose of resale in Texas to the volume a gallon of motor fuel would occupy at a temperature of sixty degrees (60°) Fahrenheit; providing that when motor fuel purchased on a volume corrected basis is thereafter sold for refund purposes the tax accounting shall also be on a corrected volume basis; amending Section 27 of said Act to add penalty provisions

for violations of the Act as amended; preserving taxes, penalties, interest, fines, forfeitures and bond liabilities as they existed prior to the effective date of the Act; preserving criminal penalties for offenses committed prior to the effective date of this Act; containing a saving clause, and declaring an emergency."

H. B. No. 100, A bill to be entitled "An Act amending Section 7 of Article 93b of Vernon's Texas Statutes; providing a saving clause; and declaring an emergency."

H. B. No. 113, A bill to be entitled "An Act making an emergency appropriation to the State Department of Agriculture for the operating expenses incurred in the enforcement of the provisions of House Bill No. 593, Fifty-second Legislature, for the remainder of the fiscal year ending August 31, 1953, provided for its expenditures under the general provisions of House Bill No. 426, Regular Session, Fifty-second Legislature; and declaring an emergency."

H. B. No. 245, A bill to be entitled "An Act to amend Section 3 of Chapter 385, Acts of the 48th Legislature, 1943, by providing that the name and address of the manufacturer, packer, or distributor shall be printed or plainly marked on each package of wheat, flour, whole wheat flour, graham flour, or other cereal flour, or corn meal, and declaring an emergency."

H. B. No. 302, A bill to be entitled "An Act amending Article 2666 of the Revised Civil Statutes of 1925, as amended by Section 1 of Senate Bill No. 223, Acts of 42nd Legislature, R. S., 1931, Chapter 172, to provide for the abolishment of independent school districts created by the State Board of Education; providing for the inclusion of their territory and scholastic census in an existing school district; and declaring an emergency."

H. B. No. 319, A bill to be entitled "An Act to amend Article 4382 of the Revised Civil Statutes of Texas, 1925, as amended, concerning the keeping of registers of warrants issued; and declaring an emergency."

H. B. No. 324, A bill to be entitled "An Act providing for the use, operation and management by the Game and Fish Commission under its rules and regulations of land acquired by

said Commission, including in such management authority to make disposition of timber and other plants and crops, make tenancy or rental agreements, grant certain rights of way or easements, when such disposals, sales and leases shall not adversely affect or will be beneficial to game and fish protection, propagation or management; prescribing advertising procedures in sales or leases; disposing of proceeds thereof; authorizing acquisition and maintenance of necessary improvements on acquired lands; making this Act cumulative of other laws pertaining to Game and Fish Commission lands; providing a saving clause; and declaring an emergency."

H. B. No. 389, A bill to be entitled "An Act authorizing employment of a secretary or stenographer for each county judge in the State; providing a method of employment; prescribing the salaries to be paid such secretaries or stenographers; providing the method of payment of such salaries; providing a severability clause; repealing all laws in conflict; and declaring an emergency."

H. B. No. 391, A bill to be entitled "An Act providing that bonds issued by the governing bodies of certain cities on behalf of city improvement districts may be submitted to the Attorney General for approval; providing for the registering thereof by the State Comptroller; repealing all laws in conflict; providing a saving clause; and declaring an emergency."

H. B. No. 400, A bill to be entitled "An Act to amend Article 4382 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 242 of the General Laws of the Regular Session of the Forty-second Legislature of Texas, 1931, by adding Article 4382a to provide that the Treasurer, with the consent of the Comptroller of Public Accounts, may substitute a recapitulation of totals of warrants paid each day in lieu of copies of warrants paid registers; providing a savings clause; and declaring an emergency."

H. B. No. 552, A bill to be entitled "An Act providing for an open season when it shall be lawful to hunt, take, or kill squirrel in Jasper and Newton Counties, Texas; fixing a penalty for violation thereof; repealing all laws in conflict; and declaring an emergency."

H. B. No. 635, A bill to be entitled "An Act to amend Section 6, Chapter 42, General Laws, Second Called Session, Forty-first Legislature, 1929, as amended by Section 4, Chapter 71, Forty-seventh Legislature, 1941, as amended by Section 1, Chapter 116, Fifty-second Legislature, to provide that owners and operators of commercial vehicles apprehended when carrying a greater gross load than that for which said vehicles are licensed shall raise the registration of the vehicles at the nearest available County Tax Assessor-Collector's Office to an amount equal to the gross weight of the vehicles at the time of apprehension; providing such total registration shall not exceed the legal gross weight allowed for such vehicle; providing that the additional registration shall be retroactive to date of purchase of current license; etc., and declaring an emergency."

H. B. No. 762, A bill to be entitled "An Act to amend Article 5434, Revised Civil Statutes of Texas, 1925, adding one member to the Texas Library and Historical Commission; and declaring an emergency."

H. B. No. 851, A bill to be entitled "An Act amending Section 1 of Chapter 160, Acts of the 52nd Legislature, 1951, by changing the provisions relating to an open season for wild quail in Upshur County and by adding provisions relating to hunting or killing quail upon the premises of another; and declaring an emergency."

H. B. No. 860, A bill to be entitled "An Act amending Section 1 of Chapter 297, Acts of the 52nd Legislature, 1951, as amended by House Bill No. 60, Acts of the 53rd Legislature, 1953, which prohibits the use of nets and seines and otherwise regulates the taking of fish in certain counties, by eliminating Wood County from its provisions; and declaring an emergency."

H. B. No. 868, A bill to be entitled "An Act authorizing the sheriff or purchasing agent of any county of the State of Texas to sell and dispose of any unclaimed or abandoned personal property belonging to arrested persons or prisoners placed in the county jail; and declaring an emergency."

H. B. No. 870, A bill to be entitled "An Act authorizing the governing body of any incorporated city or town (including home rule cities) having a

population of 75,000 inhabitants or less, according to the last preceding Federal census, to lease any city-owned hospital or part thereof to be operated by the lessee as a public hospital under such terms and conditions as may be agreed upon by such governing body and lessee; providing for the authorization and execution of the lease and lease agreement; providing the term to be covered by such lease; and declaring an emergency."

H. B. No. 890, A bill to be entitled "An Act authorizing the State Highway Commission to grant to day laborers eighty-eight (88) hours vacation with full pay to such laborers who have worked for said State Highway Department for over six months."

H. B. No. 895, A bill to be entitled "An Act to amend H. B. 426, General and Special Laws of Texas, Chapter 499, page 1441, Subsection 25, Acts of 52nd Legislature, Regular Session, 1951; providing for a repealing clause, savings clause, and declaring an emergency."

H. C. R. No. 62, Granting permission to sue the State of Texas to H. G. Hodnett and wife, J. W. Collins and wife, E. W. Collins and wife, R. Smith and wife, J. Evans and wife, and T. H. Evans and wife.

H. C. R. No. 121, A resolution authorizing the Enrolling Clerk to make certain changes in H. B. No. 70.

H. C. R. No. 126, A resolution suspending the Joint Rules of the House so as to permit the House to take up and consider H. B. No. 925 at any time.

H. B. No. 551, A bill to be entitled "An Act making it unlawful for any person to hunt, snare, kill or attempt to kill by any means whatsoever any wild deer, buck, doe, or fawn in the Counties of Newton and Jasper in the State of Texas, etc., and declaring an emergency."

Reports of Standing Committees

By unanimous consent Senator Secrest submitted the following reports:

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to

whom was referred H. B. No. 801, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman.

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 769, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman.

By unanimous consent, Senator Bell submitted the following report:

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 37, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BELL, Chairman.

House Bill 753 on Second Reading

On motion of Senator Lane, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 753, A bill to be entitled "An Act amending the Uniform Reciprocal Enforcement of the Duties of Support Act, being House Bill 192, Acts of the 52nd Legislature, Regular Session, 1951, page 643, and being Articles 2328b-1 through 2328-3 of Vernon's Texas Civil Statutes, by amending Section 2 of Part I of the Act by adding a new Section 2-A providing for a State Information Agency and defining its functions and duties; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 753 on Third Reading

Senator Lane moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 753 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
Moffett	Willis

Absent

Hazlewood McDonald

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Hardeman	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
Moffett	
Moore	

Absent

Hazlewood McDonald

House Bill 801 Ordered not Printed

On motion of Senator Lane, and by unanimous consent of the Senate, H. B. No. 801 was ordered not printed.

**Motion to Place House Bill 801
on Second Reading**

Senator Lane asked unanimous consent to suspend the regular order of business to take up for consideration at this time H. B. No. 801.

There was objection.

Senator Lane then moved to suspend the regular order of business to take up H. B. No. 801 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—18

Aikin	McDonald
Ashley	Parkhouse
Bracewell	Rogers of Travis
Colson	Russell
Fuller	Rutherford
Hardeman	Secrest
Kazen	Shireman
Lane	Weinert
Lock	Willis

Nays—11

Bell	Moore
Corbin	Rogers
Kelley	of Childress
Latimer	Sadler
Martin	Strauss
Moffett	Wagonseller

Absent

Hazlewood	Phillips
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Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 227, A bill to be entitled "An Act making an appropriation from the General Revenue Fund for the publication of certain proposed constitutional amendments and for paying labor costs and other expenses thereto; and declaring an emergency."

S. B. No. 303, A bill to be entitled "An Act providing for the creation of county-wide hospital districts in counties having a population of 190,000 or more, and Galveston County,

according to the last preceding Federal Census; etc.; and declaring an emergency."

(With amendments.)

S. B. No. 305, A bill to be entitled "An Act to define the offense of encouraging or contributing to child delinquency and prescribing the punishment therefor; etc.; and declaring an emergency."

S. B. No. 248, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to lease at public auction for oil, gas, sulphur, mineral ore and other mineral development all lands used as experimental stations and all other lands under its exclusive control; providing for the 'Agricultural and Mechanical College of Texas Special Mineral Fund' and the manner it is to be administered; providing for a permanent fund and the expenditure of the income from same; etc.; and declaring an emergency."

S. B. No. 160, A bill to be entitled "An Act amending Chapter 429, House Bill No. 24, Acts of the 52nd Legislature, 1951, known as Article 1702-h, Vernon's Annotated Civil Statutes of Texas, relating to County Law Libraries so as to provide that the Commissioners Courts of Texas shall be authorized to fix the assessment to be made in each civil case for the maintenance of such library a sum not to exceed Five (\$5.00) Dollars, the other provisions of the law to be the same; providing a saving clause; and declaring an emergency."

(With amendments.)

The House refused to concur in Senate Amendments to House Bill No. 459 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The following have been appointed on the part of the House: Ehlert Jones, Carter, Hutchins and Warden.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Conference Committee on House
Bill 459

Senator Kazen called from the President's table for consideration at this time, the request of the House

for a conference committee to adjust the differences between the two Houses on H. B. No. 459 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Kazen, Colson, McDonald, Secrest, and Strauss.

Senate Bill 350 with House Amendments

Senator Aikin called S. B. No. 350 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Aikin moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Aikin, Lane, Moffett, Hardeman, and Bracewell.

Vote on Final Passage of House Bill 93 Reconsidered

Senator Bell moved to reconsider the vote by which H. B. No. 93 failed to pass on final reading on Friday, May 22, 1953.

The motion prevailed by the following vote:

Yeas—16

Bell	Moffett
Bracewell	Moore
Fuller	Parkhouse
Kelley	Russell
Lane	Rutherford
Latimer	Sadler
Lock	Shireman
Martin	Strauss

Nays—12

Aikin	Corbin
Ashley	Hardeman

Kazen	Secrest
Phillips	Wagonseller
Rogers	Weinert
of Childress	Willis
Rogers of Travis	

Absent

Colson	McDonald
Hazlewood	

The President laid H. B. No. 93 before the Senate on third reading and final passage.

The bill was read the third time and was passed.

Record of Vote

Senators Aikin, Hardeman, Ashley, Phillips, Willis, Kazen and Sadler asked to be recorded as voting "nay" on the final passage of H. B. No. 93.

Presentation of Guests

Senator Rogers of Travis presented the Social Studies Class of the Baker School of Austin and their teacher, Mrs. Joyce Hart, to the Members of the Senate.

Senate Resolution 302

Senator Corbin offered the following resolution:

Whereas, We are honored today to have in the Senate Marc Milburn, nephew of our distinguished colleague, Senator Joe Russell;

Whereas, Marc is a bright young man of 8 years of age and is observing the affairs of State Government; now, therefore, be it

Resolved by the Senate that Marc Milburn be designated as an honorary Page of the Senate of Texas for the day.

The resolution was read and was adopted.

House Bill 622 on Second Reading

Senator Bracewell asked unanimous consent to usspend the regular order of business to take up for consideration at this time H. B. No. 622.

There was objection.

Senator Bracewell then moved to suspend the regular order of business to take up H. B. No. 622 at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Lane
Ashley	Latimer
Bell	Lock
Bracewell	Martin
Colson	Moffett
Fuller	Phillips
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Strauss
Kelley	Weinert

Nays—10

Corbin	Russell
McDonald	Rutherford
Moore	Shireman
Rogers	Wagonseller
of Childress	Willis
Rogers of Travis	

Absent

Parkhouse

The President laid before the Senate for consideration at this time the following bill:

H. B. No. 622, A bill to be entitled "An Act amending and revising the Election Code of the State of Texas; repealing portions thereof; providing an effective date for this Act; providing a saving clause; and declaring an emergency."

The bill was read the second time.

Question—Shall H. B. No. 622 be passed to third reading?

Presentation of Guests

Senator Wagonseller, by unanimous consent of the Senate, presented the senior class of the Olden High School of Eastland, together with J. F. Weaver, sponsor, to the Members of the Senate.

**House Joint Resolution 37
Ordered not Printed**

On motion of Senator Martin and by unanimous consent of the Senate H. J. R. No. 37 was ordered not printed.

**Committee to Escort Ambassador
Eban to Joint Session**

The President announced the appointment of the following as a committee on the part of the Senate to escort the Honorable Ambassador Eban to the Joint Session: Senators Bracewell, Fuller, Latimer, Phillips and Rogers of Travis.

Motion to Recess

On motion of Senator Bracewell, the Senate agreed at the conclusion of the Joint Session to stand recessed until 2:30 o'clock p. m. today.

Joint Session

(For an address by Ambassador Eban of Israel.)

The President at 11:30 o'clock a. m. announced pursuant to the provisions of a resolution previously adopted, the time had arrived for a Joint Session to hear an address by Ambassador Eban.

Accordingly, the President pro tempore and Senators present repaired to the Hall of the House of Representatives.

The Senators were announced at the Bar of the House and were admitted and escorted to seats already prepared for them along the aisle.

The President pro tempore by invitation of the Speaker of the House, occupied a seat on the Speaker's stand.

The President pro tempore called the Senate to order and announced a quorum of the Senate present.

The Speaker of the House announced the purpose of the Joint Session and requested the members of the House to register. A quorum of the House was announced present.

The distinguished guests were announced at the Bar of the House and were escorted to the Speaker's stand by Senators Bracewell, Fuller, Latimer, Phillips and Rogers of Travis on the part of the Senate and Representatives Baker, Bergman, Bates of Harris, Gilham and Bell on the part of the House.

The Speaker of the House presented Senator Bracewell and Senator Bracewell presented the following members of Ambassador Eban's party to the Joint Session:

Morris Rauch, Chairman, Houston Israel Bond Committee;

Martin Nadelman, President of the Houston Jewish Community Council;

Dr. Marcus Levinson, a National Vice-President of the Zionist Organization of America;

Mrs. Joe Robinowitz, Vice-President of the Houston Jewish Community Council;

Jim Novy, Chairman of the Austin Israel Bond Committee;

Rabbi Bertram Klausner, of Austin;

Rabbi Hershel Jacobs, of Austin.

Senator Bracewell then presented the Honorable Allan Shivers, Governor of Texas, and Governor Shivers presented Ambassador Eban to the Joint Session.

Ambassador Eban addressed the Joint Session.

At the conclusion of the address the President pro tempore announced the purpose of the Joint Session concluded and the Senate would stand recessed pursuant to the motion previously adopted in the Senate.

Recess

At 11:58 o'clock a. m. the Senate, pursuant to motion previously adopted, took recess until 2:30 o'clock p. m. today.

After Recess

The President called the Senate to order at 2:30 o'clock p. m. today.

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

H. B. No. 438, A bill to be entitled "An Act amending H. B. No. 159, Chapter 33, page 50, of the 42nd Legislature, 1945, being Article 3202-a, Revised Civil Statutes of Texas, 1925, so as to except from the provisions for payment of the cost of support, maintenance, and treatment of the persons legally liable for the support of children received and kept in the Texas School for the Deaf; and declaring an emergency."

Message from the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,
May 25, 1953.

To the Senate of the Fifty-third Legislature:

I ask the advice, consent and con-

firmation of the Senate with respect to the following appointments:

To be branch pilots for the Houston Ship Channel and Galveston Bar for the Port of Houston,

For term to expire March 5, 1955, Roy C. Blodgett of Harris County;

For terms to expire February 12, 1955, H. C. Cage of Harris County; M. E. Palmer of Harris County; D. O. Duncan of Harris County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Committee on Senate Resolution 300 Appointed

The President announced the appointment of the following committee pursuant to the provisions of S. R. No. 300:

Lieutenant Governor Ben Ramsey, chairman; Senators Hardeman and Aikin on the part of the Senate and John Morgan, Chairman of Library and Historical Commission; Thos. J. Gibson, State Librarian or Miss Doris Connerly.

Senate Concurrent Resolution 69

Senator Hazlewood offered the following resolution:

S. C. R. No. 69, Requesting the Federal Power Commission to clarify policy relating to gas for power or irrigation purposes.

Whereas, There is on the North Plains of Texas some of the richest and most fertile agricultural land in the United States which has produced, under proper moisture conditions, from fifty (50) to sixty (60) bushels of wheat per acre and up to eighty (80) bushels of grain sorghums per acre; and

Whereas, Said area has suffered from droughts in minor proportions for a great number of years and in major proportions during the last three (3) years, with the result that production of valuable farm products in this rich and vast area has been greatly reduced; and

Whereas, Great volumes of underground water, suitable for irrigation, lie beneath the soil in said area at a depth of three hundred (300) to four hundred fifty (450) feet if the water could be lifted and produced at economical costs, the proper use of which would greatly increase the production

of agricultural products so necessary to the economic and general welfare of not only that portion of Texas but the nation as a whole; and

Whereas, It is neither feasible nor economically profitable to raise and produce said water from such depths by electricity or means of power other than natural gas; and

Whereas, in Moore County alone, there are now at least forty-nine (49) irrigation wells already drilled and powered with natural gas as a fuel; and

Whereas, One major gas producing company from which the farmers in that area procure gas recently advised them that they can no longer purchase gas from such company, the result of which will be the total loss of investments in such power units, and irrigation wells, which would be financially disastrous to many of such farmers; and

Whereas, The inability of thousands of other farmers in the area to procure natural gas as a source of fuel with which to power irrigation motor units will result in great and irreparable loss to the landowners themselves, as well as to the area as a whole; and

Whereas, said gas producing companies have recently notified these hundreds of farmers and landowners of an intention to discontinue sale of gas for such uses and purposes for reasons, among others, that such continued sales might result in such companies being classed as public utilities; and because, further, said gas has been dedicated under rules and regulations of the Federal Power Commission for other uses; so that now the very man who owns the land under which gas is located is deprived of any domestic use or benefit of this great natural resource, and he is also denied the right to the use of same for fuel in powering irrigation units in order that he may produce sufficient agricultural products to maintain his family, as well as for the defense effort and general welfare of this nation; and

Whereas, Clarification of policies and regulations on the part of the said Power Commission is absolutely necessary to avert financial disaster on the part of those farmers who now have large investments in irrigation wells, as well as to assure those hundreds of farmers in this great area of the continued use and availability of gas for their own domestic uses and ir-

rigation purposes in order that they may survive the drought periods; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Federal Power Commission is urgently requested to clarify its policy, and to formulate rules and regulations by and under which any gas producer that may choose to sell to these farm operators gas for irrigation power units, as well as for their own domestic consumption, will not be classed as a public utility for having done so; and, be it further

Resolved, That the owners of the land under which this gas lies shall be allocated a sufficient amount of gas for domestic consumption and also to power irrigation units for the production of food, grain, and other valuable agricultural products; and, be it further

Resolved, That farm owners and operators immediately adjacent to, or on the fringe of said gas fields in the Panhandle of Texas be accorded the same privileges, uses and benefits; and, be it further

Resolved, That a copy of this resolution be forwarded to each member of the Federal Power Commission; a copy to each member of the House of Representatives of the United States from Texas, as well as to Senators Lyndon Johnson and Price Daniel.

The resolution was read.

On motion of Senator Hazlewood and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 303

Senator Moore offered the following resolution:

Whereas, It is well for us to pause in the rush of modern life to acknowledge faithful and efficient service, especially when such service has lasted for thirty-three years; and

Whereas, Jim Jackson, following in the footsteps of his father "General" Jackson, has been a loyal and courteous employee of the Senate of Texas for over a generation; and

Whereas, Not only the present members of the Texas Senate, but all those who served in this body for this long period have known and appreciate the fine character of Jim Jackson and have recognized his ability by regu-

larly re-electing him as head porter, a position of responsibility; and

Whereas, In all of this period of faithful service when it becomes necessary to stop the clock in order that the Senate may complete the State's business, this has been the sole responsibility of Jim Jackson; now, therefore, be it

Resolved, By the Senate of the Fifty-third Legislature of Texas that Jim Jackson, a gentleman of quiet courtesy, be extended the appreciation of the members of this body for his contribution to the work of the Senate and a wish that he may continue to serve in the same capacity for many years to come.

MOORE

Signed—Ren Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Harde-
man, Hazlewood, Kazen, Lane, Latimer, Lock, Kelley, Martin, McDonald, Moffett, Parkhouse, Phillips, Rogers of Childress, Rogers of Travis, Russell, Rutherford, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Ashley, the names of the Lieutenant Governor and all of the Senators were added to the resolution as signers thereof.

The resolution was adopted.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 273, A bill to be entitled "An Act providing for the assessment and collection of a fee or tax in divorce cases filed in counties having four (4) or more District Courts sitting as a Juvenile Board; etc.; and declaring an emergency."

(With amendments.)

The House has concurred in Senate amendments to House Bill No. 453 by vote of viva voce.

H. B. No. 127, A bill to be entitled "An Act amending Articles 563 and 564 of the Code of Criminal Proce-

dures of the State of Texas, 1925, relating to change of venue so as to provide for a change of venue in the trial of felony cases or in the trial of misdemeanor cases pending in the County Court of certain counties, when a jury cannot be procured; providing for the issuance and service of process, and the compensation therefor, for any witness in or out of the county where the prosecution is then pending whenever the court grants a change of venue in a misdemeanor case; providing for the determination of all motions to set aside the indictment information or complaint, and all special pleas and exceptions which have been filed and which are to be determined by the Judge and for entry of plea of not guilty if such motions are overruled before granting an application for change of venue; and declaring an emergency."

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 350: Smith of Hays, Gurley, Kimbrough, Niemann, Joseph.

The House has adopted the Conference Committee Report on S. B. No. 148 by a vote of 73 yeas, 60 nays.

The House has concurred in Senate amendments to House Bill No. 72 by vote of viva voce.

The House has concurred in Senate amendments to House Bill No. 513 by vote of 99 yeas, 1 nay.

The House refused to concur in Senate amendments to House Bill No. 325 and has requested the appointment of a Conference Committee to consider the difference between the two Houses.

The following conferees have been appointed on the part of the House: Johnson, Burkett of Kerr, Joseph, Chapman, Kimbrough.

The House refused to concur in Senate amendments to House Bill No. 110 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The following have been appointed on the part of the House: Atwell, Cheatham, Berry, Sanders, Crouch.

The House has concurred in Senate amendments to House Bill No. 609 by vote of 120 yeas, 0 nays.

S. C. R. No. 63, In memory of Honorable Arthur William Taber, etc.

The House has adopted the Conference Committee Report on Senate Bill No. 231 by a vote of 93 yeas, 4 nays, and 2 present not voting.

The House has concurred in Senate amendments to House Bill No. 364 by vote of 116 yeas, 3 nays.

The House has concurred in Senate amendments to House Bill No. 39 by vote of viva voce.

S. B. No. 326, A bill to be entitled "An Act making it unlawful for any person to tamper with, damage or destroy any barricade placed upon any street, road, or highway; etc.; and declaring an emergency."

S. B. No. 333, A bill to be entitled "An Act to amend Article 1287a of the Revised Civil Statutes of the State of Texas, Revision of 1925, by adding a new and additional section exempting Livestock Auction Commission Merchants which are regulated by the United States Department of Agriculture under the Packers and Stock Yards Act; and declaring an emergency."

S. B. No. 336, A bill to be entitled "An Act amending Subsections 1 and 7 of Section 5 of Chapter 470, page 1178, of the Acts of the 45th Legislature, 1937, as amended by Chapter 376, page 610, of the Acts of the 47th Legislature, 1941, as amended by Chapter 377, page 676, of the Acts of the 48th Legislature, 1943, as amended by Chapter 248, page 441, of the Acts of the 50th Legislature, 1947, as amended by Chapter 139, page 244, of the Acts of the 51st Legislature, 1949, as amended by Chapter 502, page 1486, of the Acts of the 52nd Legislature, 1951, and being known also as Subsections 1 and 7 of Section 5 of Article 2922-1 of Vernon's Revised Civil Statutes of Texas, 1925, to provide for compulsory retirement of members of the Teacher Retirement System upon reaching a certain age under certain conditions; etc.; and declaring an emergency."

S. B. No. 334, A bill to be entitled "An Act providing for increased membership annuity payments under the Teacher Retirement System by increasing the amount transferred from the State Membership Accumulation Fund to the Membership Annuity Re-

serve Fund upon retirement of members; etc.; and declaring an emergency."

(With amendments.)

S. B. No. 168, A bill to be entitled "An Act granting teachers who heretofore have withdrawn deposits from the Teacher Retirement System the privilege of redepositing said funds under certain conditions and limitations; etc.; and declaring an emergency."

H. C. R. No. 134, Instructing the Enrolling Clerk of the Senate to make certain corrections in the Zivley amendment to Senate Bill No. 15.

The House has concurred in Senate amendments to House Bill No. 169 by vote of 117 yeas, 15 nays.

The House has concurred in Senate amendments to House Bill No. 450 by vote of 89 yeas, 7 nays.

The House has adopted the Conference Committee Report on House Bill No. 441 by a vote of 118 yeas, 4 nays.

The House refused to concur in Senate amendments to House Bill No. 565 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The following conferees have been appointed on the part of the House: Kilgore, Isaacks, Brown, Yancy, Vale.

The House refused to concur in Senate amendments to House Bill No. 495 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The following conferees have been appointed on the part of the House: Carr, Gillham, Reeves, Maverick, Jess Osborn.

The House has concurred in Senate amendments to House Bill No. 447 by vote of 67 yeas, 40 nays.

The House has concurred in Senate amendments to House Bill No. 274 by viva voce.

The House has adopted the Conference Committee Report on S. B. No. 133 by a vote of 126 yeas, 1 nay.

S. B. No. 175, A bill to be entitled "An Act amending House Bill No.

1014, Chapter 99 of the Acts of the 42nd Legislature, Regular Session, 1931, codified as Article 6673a, Vernon's Texas Civil Statutes, and providing that whenever the State Highway Commission determines that any real property, or interest therein, etc.; and declaring an emergency."

(With amendments.)

The House has concurred in Senate amendments to House Bill No. 498 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 915 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 912 by viva voce vote.

The House has concurred in Senate amendments to H. B. No. 452 by a viva voce vote.

The House has concurred in Senate amendments to H. B. No. 905 by a viva voce vote.

The House has concurred in Senate amendments to H. B. No. 906 by a viva voce vote.

The House has concurred in Senate amendments to House Bill No. 454 by vote of 83 yeas, 43 nays.

The House has adopted the Conference Committee Report on S. B. No. 184 by a vote of 78 yeas, 23 nays.

H. B. No. 871, A bill to be entitled "An Act amending Section 1 of Chapter 380, Acts of the Forty-eighth Legislature, 1943, which authorizes a tax levy for creating county health units in counties having a population of less than twenty-two thousand (22,000) by increasing the amount of the authorized levy to ten cents (10c) on each One Hundred Dollars valuation, by requiring that the maximum rate to be levied in each county be determined by an election, and by making provision for increasing or reducing such maximum rate; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Leave of Absence

Senator Bell was granted leave of absence for the remainder of the day,

on account of important business, on motion of Senator Hardeman.

House Bill 622 on Second Reading

The Senate resumed consideration of pending business, same being H. B. No. 622 on passage to third reading.

Question—Shall H. B. No. 622 be passed to third reading?

Senator Bracewell offered the following amendment to the bill:

Amend Section 15a of H. B. 622 by striking out the words:

"The name of no candidate of any political party that cast five hundred thousand (500,000) votes or more for its candidate for governor at the last preceding general election shall be printed on any official ballot for a general election, unless nominated by primary election, on primary election day, except as herein otherwise provided."

and inserting in lieu thereof the following:

"The name of no candidate of any political party that cast two hundred thousand (200,000) votes or more for its candidate for governor at each of the last two (2) general elections immediately preceding, shall be printed on any official ballot for a general election, unless nominated by a primary election, on primary election day, except as herein otherwise provided."

Senator Latimer moved the previous question on the pending amendment and the motion was duly seconded.

Question—Shall the previous question now be put?

The motion for the previous question was lost by the following vote:

Yeas—11

Ashley	Lock
Bracewell	Martin
Fuller	Moffett
Hazlewood	Parkhouse
Lane	Weinert
Latimer	

Nays—18

Aikin	Kelley
Bell	McDonald
Colson	Phillips
Corbin	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis

Russell
Rutherford
Sadler
Secrest

Shireman
Wagonseller
Willis

Absent

Moore

Strauss

Senator Kelley offered the following substitute for the amendment by Senator Bracewell:

Amend committee substitute for H. B. 622 by striking out lines 23 and 24, on page 12 and substituting in lieu thereof the following:

"candidate of any political party that cast two hundred thousand (200,000) votes or more for its candidate for governor at"

Senator Bracewell moved to table the substitute for the amendment.

Yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—12

Ashley
Bracewell
Hazlewood
Kazen
Latimer
Lock

Martin
Moffett
Parkhouse
Phillips
Strauss
Weinert

Nays—18

Aikin
Colson
Corbin
Fuller
Hardeman
Kelley
Lane
McDonald
Moore

Rogers
of Childress
Rogers of Travis
Russell
Rutherford
Sadler
Secrest
Shireman
Wagonseller
Willis

Absent—Excused

Bell

Question recurring on the substitute for the Bracewell amendment, it was adopted.

The amendment, as substituted, was then adopted.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. No. 622 by striking out Section 9 of the Election Code as amended in Section 1 of the bill and inserting in lieu thereof the following:

"9. Time and place

"A general election shall be held on the first Tuesday after the first Monday in November, A.D. 1954, and every two (2) years thereafter, at such places as may be prescribed by law after notice as prescribed by law. Special elections shall be held at such times and places as may be fixed by law providing therefor. Each election shall be held for one day only. In all elections, general, special, or primary, the polls shall be open from 7 o'clock a. m. to 8 o'clock p. m. in all counties having a population of one hundred thousand (100,000) or more according to the last Federal census, and in all other counties the polls shall be opened at 8 a. m. and remain open until 8 p. m.

"All persons who are within the polling place and all persons who are waiting to enter the polling place at 8 o'clock p. m. shall be allowed an opportunity to present themselves for voting in the same manner as if they had appeared and offered themselves for voting during regular voting hours."

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend committee substitute for H. B. No. 622 by adding a new section numbered Section 18aa, amending the Texas Election Code, as enacted by Chapter 492, Acts of the 52nd Legislature, 1951, by adding thereto a new section to be known as Section 8a of Article 79 (Section 8a of Vernon's Art. 7.14) which shall read as follows:

"8a. Supplemental Paper Ballot

"Should the number of candidates for any office or the number of offices and/or propositions to be voted upon in any precinct exceed the capacity of one machine, then as an alternative method to the use of more than one machine to complete such ballot, such offices and/or propositions as may be designated by the authority charged with holding the election may be placed on a supplemental paper ballot having thereon such number of offices and/or propositions as cannot be accommodated on one voting machine; but in all cases the names of all candidates for any particular office shall be placed either on the voting machine or on the paper ballot. The supplemental paper ballot shall be prepared in accordance with the

general laws relating to paper ballots insofar as they can be made applicable, and the ballots shall be cast and counted and return thereof made in the manner required by law for regular paper ballots. Each voter shall be instructed to take a supplemental paper ballot at the time his name is placed on the list of persons voting at that election."

The amendment was adopted.

Record of Vote

Senator Parkhouse asked to be recorded as voting "nay" on the adoption of the above amendment.

Senator Kelley offered the following amendment to the bill:

Amend committee substitute for H. B. 622 by striking out line 13 on page 29 and substituting in lieu thereof the following:

"ten thousand (10,000) votes and less than one hundred thousand (100,000) votes,"

The amendment was adopted.

Senator Kelley offered the following amendment to the bill:

Amend committee substitute for H. B. 622 by striking out lines 45 and 46 on page 20 and substituting in lieu thereof the following:

"organized political party that cast two hundred thousand (200,000) votes or more for governor at the last"

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. 622 by adding thereto a new section to be inserted immediately after Section 33, and reading and numbered as follows:

Sec. 33½. Section 194 of the Election Code of Texas is amended hereby so as to read hereafter as follows:

"Irrespective of any other provisions of this code, a candidate for State Senator or Representative shall be required to and must pay to the County Executive Committee of each county of the District in which he is a candidate, at the time of filing his application for a place on the primary ballot, the following sum or sums:

1. One Dollar (\$1) per county for counties having a population of less than five thousand (5,000).

2. Five Dollars (\$5) per county for counties having a population of five thousand (5,000) and not more than ten thousand (10,000).

3. Ten Dollars (\$10) per county having a population of more than ten thousand (10,000) and less than forty thousand (40,000).

4. Fifty Dollars (\$50) per county for counties having a population of forty thousand (40,000) and not more than one hundred and twenty-five thousand (125,000).

5. Seventy-five Dollars (\$75) per county for counties having a population of more than one hundred and twenty-five thousand (125,000) and not more than two hundred thousand (200,000).

6. One Hundred Dollars (\$100) per county for counties having a population of more than two hundred thousand (200,000).

7. One Hundred Dollars (\$100) per county for all senatorial districts composed of no more and no less than two (2) counties, regardless of the population of such counties.

The population in each case is to be determined by the last preceding Federal census."

The amendment was adopted.

(Senator Moffett in the Chair.)

Senator Bracewell offered the following amendment to the bill:

Amend H. B. 622 by striking out the words "judges and" as they appear twice in the last sentence of Section 16 of the Election Code as amended in Section 4 of H. B. No. 622 (lines 33 and 35, page 2 of the printed Senate Committee Substitute).

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. No. 622 by adding a subdivision 12 to Section 37 of the Election Code, as amended in Section 10 of the bill, which subdivision shall read as follows:

"Subdivision 12. Notwithstanding the terms and provisions of the above subdivisions, absentee voting for second primary elections held pursuant to Section 181 of this Code shall be at any time not more than 10 days nor less than 3 days prior to the date of such second primary election. All other terms and provisions of this Code shall be applicable to the con-

ducting of absentee voting for second primary elections."

• The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. No. 622 by striking out the last sentence of Section 38 of the Election Code, as amended in Section 11 of the bill (beginning on line 15 and ending on line 19, page 8 of the Senate Committee Substitute).

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. No. 622 by striking out the last two sentences of the first paragraph of Section 104 of the Election Code, as amended in Section 24 of the bill (beginning on line 3 and ending on line 13, page 20 of the printed Senate Committee Substitute).

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill No. 622 by adding a new section immediately following Section 25, which shall read as follows:

"Sec. 25a. Section 176 of the Election Code of the State of Texas (Vernon's 12.01) is amended hereby so as to read hereafter as follows:

"176. United States Senators

"All the applicable laws of this Code for the nomination and election of the Governor shall govern in the nomination and election of United States Senators, except that the returns shall be canvassed for the entire State by the Secretary of State, in accordance with Section 120 of this Code, and certificates of election shall be issued by the Governor."

Further amend House Bill No. 622 by striking out the figures "176" from Section 43 of the bill.

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill No. 622 by adding the following sentences to Subdivision 2 of Section 190 of the Election Code, as amended in Section 31 of the bill (to be added immediate-

ly following the sentence ending on line 62, page 25 of the printed Senate Committee Substitute):

"A candidate making application for a county or precinct office after the first Monday in February shall be assessed for his portion of the expenses of the primary in the same manner as other candidates. If the application is filed after the third Monday in March, the chairman of the county executive committee shall immediately compute the amount in accordance with the method adopted by the committee and shall immediately mail to the candidate a statement of the amount, which must be paid in the manner set out in Section 186 of this Code within one week after the statement is mailed."

The amendment was adopted.

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for House Bill 622 by adding the figure 156 in line 31 on page 33 in lieu of the figure 176 that was stricken out by the Bracewell amendment.

The amendment was adopted.

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for House Bill 622 by inserting the following between lines 53 and 54, on page 4:

"Subdivision 1A. Supervisors may be selected and appointed in the manner provided for in Sections 19, 20 and 21 of this code for absentee balloting and the county clerk upon the presentation to him of proper certificates of their appointment shall permit such supervisors to observe and supervise absentee voting herein provided for, under the same restrictions and regulations governing supervisors at the polling places."

The amendment was adopted.

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for H. B. No. 622 by striking out line 14, on page 5 and substituting in lieu thereof the following:

"provided, and the supervisor or supervisors, to be marked by the elector, or by said witness."

The amendment was adopted.

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for House Bill 622 by striking out the word "third" in line 51, on page 2, and substituting in lieu thereof the word "second."

On motion of Senator Bracewell, the amendment was tabled.

(President in the Chair.)

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for House Bill 622 by striking out the following sentence in lines 5 to 8 inclusive, on page 2:

"When the bounds of the precinct are changed so that one or more judges reside outside of the precinct for which they were appointed, the court shall appoint others to fill such vacancy or vacancies."

and by substituting in lieu thereof the following:

"The court shall appoint judges to fill all vacancies which occur, as they occur."

The amendment was adopted.

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for House Bill 622 by changing the period to a semicolon after the word "election" in line 1 on page 4, and by adding the following immediately after the semicolon:

"provided that there shall not be more than five (5) supervisors so appointed for any one election precinct."

The amendment was adopted.

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for House Bill No. 622 by striking out line 42 on page 3, and substituting in lieu thereof the following:

"Any five (5) or one-fifth (1/5) of the candidates, whichever is less, whose names appear on the official"

and by striking out line 47, on page 3, and substituting in lieu thereof the following:

"ballot. The candidates shall make their appointment of each."

and by striking out the last word

in line 50 on page 3, and substituting in lieu thereof the following word:

"candidates"

The amendment was adopted.

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for House Bill 622 by inserting the following words after the word "voters" and before the word "shall" in line 43 on page 27:

"and who shall state that he is a member of the party holding such convention and has participated in no primary or convention of any other political party in this state during the preceding twelve months."

Senator Bracewell moved to table the amendment.

Yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—9

Aikin	Lock
Ashley	Parkhouse
Bracewell	Strauss
Hazlewood	Weinert
Lane	

Nays—20

Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Kazcn	Russell
Kelley	Rutherford
Latimer	Sadler
Martin	Secrest
McDonald	Shireman
Moffett	Wagonseller
Moore	Willis
Phillips	

Absent

Colson

Absent—Excused

Bell

Question recurring on the amendment, it was adopted.

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for House Bill 622 by striking out lines 62 and 63 on page 31 and substituting in lieu thereof the following:

"required in conducting a general election, and that he has not par-

anticipated in any primary or convention of any other political party during the preceding twelve months. Any qualified voter whose name appears on the certified list of qualified voters and who meets the qualifications above provided for,"

Senator Bracewell moved to table the amendment.

Yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—12

Ashley	Martin
Bracewell	Parkhouse
Hazlewood	Phillips
Lane	Sadler
Latimer	Strauss
Lock	Weinert

Nays—16

Aikin	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Kazen	Rutherford
Kelley	Secrest
Moffett	Shireman
Moore	Wagonseller
	Willis

Absent

Colson	McDonald
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Absent—Excused

Bell

Question recurring on the amendment, it was adopted.

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for House Bill 622 by adding a new section thereto, to be known as Section 37.1, which immediately follows Section 37 on page 29, to read as follows:

"The name of no person shall be printed on the official ballot in any election as a nonpartisan or independent candidate who has participated in the primary or convention of any political party during the year in which such election is held."

Senator Bracewell moved to table the amendment.

Yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—23

Aikin	Phillips
Ashley	Rogers
Bracewell	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Lane	Sadler
Latimer	Secrest
Lock	Shireman
Martin	Strauss
Moffett	Weinert
Parkhouse	Willis

Nays—5

Corbin	Moore
Kazen	Wagonseller
Kelley	

Absent

Colson	McDonald
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Absent—Excused

Bell

Senator Kelley offered the following amendment to the bill:

Amend Committee Substitute for House Bill No. 622 by inserting the following words after the word "Governor" and before the word "in," in line 41 on page 31:

"as the nominee of such party"

The amendment was adopted.

Senator Strauss offered the following amendment to the bill:

Amend Committee Substitute for H. B. No. 622, Section 1 on page 1, by adding a new section to be known as Section 1A and to read as follows:

Section 1A—Date of Primary.

The fourth Saturday in May, 1954, and every two (2) years thereafter shall be general primary election day, and primary elections to nominate candidates for a general election shall be held on no other day, except when specially authorized. No person shall be declared the nominee of any political party at any primary election for any office unless he has complied with every requirement of all laws applicable to primary and other elections, and has received a majority of all the votes cast at such primary elections for all candidates for such office. If at the general primary election for any political party, no candidate becomes the nominee for any office under this section, a second primary election shall be held by such political party,

on the fourth Saturday in June succeeding such general primary election, and only the name of the two (2) candidates who received the highest number of votes for any office for which nomination was made at the general election shall be placed on the official ballot as candidates for such office at such second primary, except as herein stated, provided that in case no one received a majority in the first primary and if the second and third highest candidates in that race shall be tied these two (2) shall cast lots under the direction of the county chairman or state chairman as the case may be to see which of the two (2) shall have his name printed on the second primary ballots. The second primary election shall be conducted according to the law prescribed for conducting the general primary election, and the candidates receiving a majority of all votes cast for the office to which they aspire shall be declared the nominee for their respective offices. Nominations of candidates to be voted for at any special election shall be made at a primary election at such time as the party executive committee shall determine, but no such committee shall ever have the power to make such nominations, except where provided for by law. All precincts in the same county and all counties in the same district shall vote on the same day. Nominations of party candidates for offices to be filled in a city or town shall be made not less than thirty (30) days prior to the city or town election at which they are to be chosen, in such manner as the party executive committee for such city or town shall direct, and all laws prescribing the method for conducting county primary elections shall apply to them.

The amendment was adopted.

Record of Vote

Senator Rogers of Travis asked to be recorded as voting "nay" on the adoption of the above amendment.

Senator Strauss offered the following amendment to the bill:

Amend committee substitute for H. B. No. 622 by changing the date of the primary to the fourth Saturday in May and the second primary to the fourth Saturday in June wherever any reference is made to party primaries in the bill.

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend C. S. H. B. No. 622, page 4, Section 10, line 46, by inserting after the word "absent" therein the following language:

"or who reports to be absent"

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend C. S. H. B. No. 622, Section 10, page 5, line 35, by inserting between the words "absence" and "from" the following "or expectation thereof"

The amendment was adopted.

Senator Phillips offered the following amendment to the bill:

Amend Section 187 of H. B. No. 622 by adding a new section 187A:

"Election judges shall be permitted to accept ballots of incapacitated electors whose inability to vote at polls occurred after the deadline for qualifying for an absentee ballot and before the election day. Providing, that to execute such ballot away from polls an affidavit from elector as to reasons for inability to attend polls must be obtained by said judge who must personally supervise the elector's ballot."

The amendment was adopted.

Senator Rutherford offered the following amendment to the bill:

Amendment to committee substitute to H. B. No. 622:

Amend committee substitute to H. B. No. 622 by striking out all in line 51, of page 25, of the printed bill, after the word "with" and adding the following: "each county chairman in"

The amendment was adopted.

Senator Rutherford offered the following amendment to the bill:

Amend committee substitute to H. B. No. 622 by adding subsection 1a to subsection (1), Section 29 on page 24 of the printed bill the following:

"Subsection 1a. It shall be the duty of the county chairman to furnish each candidate an itemized statement of all receipts and disbursements in connection with the holding of such primary election. The statements shall

be certified and sworn to by the county chairman and shall be mailed to each candidate participating in such primary not less than thirty nor more than sixty days after such primary"

The amendment was adopted.

Senator Shireman offered the following amendment to the bill:

Amend committee substitute for H. B. No. 622, Section 10, Subdivision 3, page 5 of the printed bill by striking out the words "at any time" and inserting the following at the beginning of such paragraph:

"Between the same hours during which the polls will be opened on the day of the election in the county of the residence of the elector and"

The amendment was adopted.

Senator Shireman offered the following amendment to the bill:

Amend committee substitute for H. B. No. 622, Section 10 by adding a new subdivision to be known as Subdivision 4b to read as follows:

"It shall be unlawful for any county clerk or deputy clerk to cause or permit any absentee ballot to be cast in accordance with the provisions of this Act at any hour during any time other than as authorized by this Act. Any clerk or deputy clerk who unlawfully permits any absentee ballot to be cast at any time or during any period not authorized by this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$50.00 or more than \$200.00 and be confined in jail for a period of not less than five (5) days or more than thirty (30) days. All absentee ballots which are cast by any elector which are not in accordance with the provisions of this Act shall be void and shall not be counted."

The amendment was adopted.

Senator Shireman offered the following amendment to the bill:

Amend committee substitute for H. B. No. 622 by adding a new section to be numbered 19b to read as follows:

Section 19b. Section 92 of the Election Code of the State of Texas (Vernon's 8.10) is amended hereby so as to read hereafter as follows:

"92. Vote Challenged

In any election or primary, State, county, or municipal, when the right

of any elector to vote is challenged, the following proceedings shall be had:

1. The judges of election shall refuse to accept such vote of such elector unless in addition to his own oath he proves by the oath of one well-known resident of the precinct or ward that he is a qualified voter at such election and in such precinct.

2. When such vote is accepted, the word "challenged" shall be written on the ballot, and the judges shall cause the clerk of election to make a minute of the name of the elector and the party testifying under oath as to his qualifications, and such memorandum shall be kept by the county clerk of the county for six (6) months after such election is held, subject to order of the district judge.

3. Any judge of any election who shall refuse to receive the vote of any qualified elector who, when his vote is challenged, shows by his own oath and oath of one well-known resident of the precinct or ward in which he offers to vote, that he is entitled to vote shall be confined in the penitentiary not less than one (1) nor more than two (2) years).

Senator Bracewell moved to table the amendment.

Yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—21

Aikin	Parkhouse
Ashley	Phillips
Bracewell	Rogers
Corbin	of Childress
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
Moffett	Willis

Nays—5

Fuller	Moore
Hazlewood	Shireman
McDonald	

Absent

Colson	Rogers of Travis
Hardeman	Russell

Absent—Excused

Bell

Senator Hardeman offered the following amendment to the bill:

Amend C. S. H. B. No. 622, Section 21, page 17, line 50, by changing the words and figures "one sixteenth (1/16)" to "one-eighth ($\frac{1}{8}$)" and in line 51, by changing the words and figures "two and one-fourth ($2\frac{1}{4}$)" to "two and one-half ($2\frac{1}{2}$)."

The amendment was adopted.

Senator Willis offered the following amendment to the bill:

Amend Committee Substitute for House Bill No. 622 by striking out Section 13 and inserting in lieu thereof the following:

"Sec. 13. Section 48 of the Election Code of the State of Texas (Vernon's 5.16) is amended hereby so as to read hereafter as follows:

"48. Exemption certificates for persons over sixty (60) years of age.

In order to vote at any election held in this State, every person residing within the boundaries of the State of Texas who is exempted from the payment of a poll tax for any reasons other than those stated in Section 49 of this Code must obtain from the tax collector of the county of his residence between October 1 and January 31, inclusive, a certificate showing his exemption from the payment of a poll tax. If he is otherwise qualified to vote, such certificate shall entitle him to vote at any election held after the 31st day of January following its issuance. Such exempted person shall on oath state his name, age, race, county of residence, occupation, the length of time he has resided in said county, and the length of time in the city, and the number of the ward and voting precinct in which he resides, and shall also state his street address by name and number, if numbered, and the grounds upon which he claims exemption from the payment of a poll tax.

"A certificate of exemption from the payment of poll tax shall be issued from a well-bound book, containing therein original and duplicate, and upon issue the certificate issued to the exempt voter shall be detached from said book, leaving therein a duplicate carbon or other copy thereof, which shall contain the same description, and the original certificate bearing its proper number shall be delivered to the citizen to identify him in voting. The tax collector shall place the names of such persons who are

exempt from the payment of poll tax and who receive an exemption certificate under the terms of this Section on the regular list of qualified voters for each precinct.

"The tax collector shall mark such exemption certificate to be a permanent certificate, and thereafter it shall not be necessary or required of the voter, while he has his residence in the county and voting precinct where such certificate was issued to him, for such voter to obtain a yearly certificate of exemption. In the event an exempt voter holding a certificate under this Section shall remove from one voting precinct to another within the county, where a certificate of exemption is required, he shall only be required to present his certificate of exemption to the tax collector for endorsement, which endorsement shall show the date of removal, the date of endorsement, and the new address and precinct to which such voter has removed, and shall be under the seal of and signed by the county tax collector. Thereafter the tax collector shall place the voter's name on the list of qualified voters for the precinct of his new residence. In the event of removal to another county and to a voting precinct where a certificate of exemption is required, the voter shall be permitted to vote on the certificate he then holds for the remainder of the voting year upon his complying with the provisions of Section 47 of this Code, but thereafter he must obtain another certificate in the county of his new residence in order to vote at subsequent elections.

"No charge shall be made by the tax collector for the issuance of certificates of exemption as prescribed by this Section. Certificates of exemption for each county shall be numbered consecutively, beginning at Number One.

"Certificate shall be in substantially the following form:

"CERTIFICATE OF EXEMPTION
FROM THE PAYMENT OF
POLL TAX

The State of Texas, County of _____,
Precinct No. _____

I, _____, Tax Collector for said County, of the State of Texas, do hereby certify that _____ has on oath declared that his (her) race is _____, that he (she) is _____ years old, and that his (her) occupation is _____, that he (she) has resided in the State of Texas for _____ years, in _____

County for years, and in
 , Texas for years;
 that he (she) now resides in Precinct
 No. in Ward No.
 in said City, and that his (her) street
 address is , and
 that he (she) is a qualified voter un-
 der the Constitution and laws of the
 State of Texas.

Given under my hand and seal of
 office, this the day of
 , A.D. 19.....

(Signed).....

Tax Collector, County, Texas.'

"In the event of loss of a certificate
 of exemption, the voter may secure a
 reissue under his old number by mak-
 ing affidavit of such loss before the
 county tax collector.

"When any person dies who is over
 60 years of age and who holds a cer-
 tificate of exemption, it shall be the
 duty of the recorder of death certifi-
 cates to notify the tax collector of the
 said county of his residence so as to
 enable the tax collector to cancel and
 strike from his list the name of the
 deceased who holds the certificate of
 exemption."

Senator Strauss offered the follow-
 ing amendment to the amendment:

Amend Willis amendment by add-
 ing the following:

"This provision shall not apply to
 voters residing in cities of 10,000
 population or less according to the
 last preceding Federal census. In such
 cities no exemption certificate shall
 be required."

The amendment to the amendment
 was adopted.

Senator Bracewell moved to table
 the amendment as amended.

Yeas and nays were demanded.

The motion to table prevailed by
 the following vote:

Yeas—15

Ashley	Latimer
Bracewell	Phillips
Fuller	Rogers of Travis
Hardeman	Rutherford
Hazlewood	Shireman
Kazen	Strauss
Kelley	Weinert
Lane	

Nays—11

Aikin	Moore
Colson	Rogers
Corbin	of Childress
Moffett	Russell

Sadler
 Secrest

Wagonseller
 Willis

Absent

Lock
 Martin

McDonald
 Parkhouse

Absent—Excused

Bell

The bill, as amended, was passed
 to third reading.

Presentation of Guests

Senator Wagonseller, by unanimous
 consent of the Senate, presented the
 senior class of Midway High School
 and their teachers, Miss Fern Brown-
 ing, Mrs. N. A. Howey and Mrs. Floyd
 Antivine to the Members of the Sen-
 ate.

Presentation of Guests

Senator Rutherford, by unanimous
 consent of the Senate, presented the
 senior class of Pyote High School,
 with their teachers, Mr. Wright
 Chrome, Miss Hawks and Miss Clai-
 borne to the Members of the Senate.

House Concurrent Resolution 134 on Second Reading

The President laid before the Sen-
 ate for consideration at this time the
 following resolution:

H. C. R. No. 134, Instructing the
 Enrolling Clerk of the Senate to make
 certain corrections in the Zivley
 amendment to S. B. No. 15.

The resolution was read the second
 time and was adopted.

Bills and Resolutions Signed

The President signed in the pres-
 ence of the Senate, after the captions
 had been read, the following en-
 rolled bills and resolutions:

H. B. No. 863, Creating in the
 Treasury a Youth Development Coun-
 cil Fund, providing for the transfer
 of the accumulated balances from the
 Old Age Assistance Fund, Children's
 Assistance Fund, and the Blind Assist-
 ance Fund to the Youth Development
 Fund and appropriating a portion of
 the same to the Gainesville State
 School for Girls, to the Youth De-
 velopment Council Central Office and
 the Youth Development Council; re-
 pealing all laws or parts of laws in
 conflict; providing a severability
 clause; and declaring an emergency."

H. B. No. 886, A bill to be entitled "An Act providing for a forty (40) hour work week for certain State employees; providing certain employees be required to work forty-eight (48) hours per week; etc., and declaring an emergency."

H. B. No. 402, A bill to be entitled "An Act regulating the sale, use, and transportation of hormone type herbicides; etc., and declaring an emergency."

H. B. No. 872, A bill to be entitled "An Act providing a method of excluding from conservation districts lands therein, which are a part of any incorporated city of not less than twenty thousand (20,000) inhabitants according to the last available Federal census and which city has lands of at least three (3) such conservation districts within its boundaries; providing such excluded land shall not be released from payment of its proportionate part of annual ad valorem taxes to pay certain bonded indebtedness, but not precluding exclusion of land upon payment of proportionate share of bonded indebtedness; and declaring an emergency."

H. B. No. 393, A bill to be entitled "An Act amending Sec. 2 of H. B. 684, page 620, General Laws, Acts 46th Leg., R. S., 1939 (Art. 4379b, Vernon's Texas Civil Statutes) so as to provide that the exchange or commission collected by the State Treasurer from municipalities or political subdivisions for acting as fiscal agent shall never on any interest payment date or interest-principal date be less than \$2.50; and declaring an emergency."

H. B. No. 534, A bill to be entitled "An Act to clarify and amend Article 754 of the Penal Code of Texas, 1925, as amended, so as to provide a greater penalty for the violations of the laws of Texas Regulating the Practice of Dentistry, and declaring an emergency."

H. B. No. 562, A bill to be entitled "An Act creating the Constitutional office of County Attorney of Harris County; providing for the election, tenure of office and prescribing the qualifications, powers and duties of said office; providing for the appointment of a County Attorney by the Commissioners Court on September 1, 1953; providing for the appointment of assistants, investigators and secre-

taries; providing for their powers and duties; providing for a severability clause; providing for a repealing clause; providing that this Act shall be operative on September 1, 1953; and declaring an emergency."

H. B. No. 563, A bill to be entitled "An Act prescribing the compensation of County Attorneys in countries having a population of 650,000 inhabitants or more, according to the last preceding Federal census; providing for the appointment of assistants, investigators and secretaries in such counties; providing for their compensation; and declaring an emergency."

H. C. R. No. 122, Expressing appreciation to Mrs. Augusta Johnson L. Wende, Austin, Texas.

H. C. R. No. 107, Granting permission to the City of Tyler, Smith County et al., to sue the State of Texas.

H. C. R. No. 98, A resolution directing the Texas Legislative Council to inventory the lands owned by the State and compile information relating thereto.

H. B. No. 163, A bill to be entitled "An Act repealing H. B. No. 190, Acts of the 52nd Legislature, Regular Session, and H. B. 97, Acts of the 51st Legislature, Regular Session; donating and granting all unexpended balances of funds and aid heretofore appropriated or granted thereby to Soil Conservation Districts; etc., and declaring an emergency."

H. B. No. 249, A bill to be entitled "An Act amending Section 5 of the Acts of 1943, Forty-eighth Legislature, page 94, Chapter 68, as amended by Acts of 1947, Fiftieth Legislature, page 792, Chapter 393, being Article 5172a, Vernon's Texas Statutes, exempting employees of banks; and declaring an emergency."

H. B. No. 559, A bill to be entitled "An Act creating a Commission to provide for education and study relating to problems of alcoholism and for commitment and treatment of alcoholics; repealing Senate Bill No. 418, Chapter, 398, Acts, 52nd Legislature, Regular Session, 1951; providing a severability clause; and declaring an emergency."

H. B. No. 825, A bill to be entitled "An Act amending Chapter 467,

House Bill No. 77, Acts, Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, so as to clarify such Act and further regulate and control alcoholic beverages; providing a savings clause; repealing laws in conflict herewith; and declaring an emergency."

H. B. No. 71, A bill to be entitled "An Act amending the Uniform Narcotic Drug Act, Chapter 169, Acts of the Forty-fifth Legislature, Regular Session, as amended, by amending Section 1, redefining 'hospital' and redefining 'laboratory'; redefining 'Narcotic drugs' and redefining 'Official written order'; repealing Section 4; providing for registration of manufacturers and wholesalers under the Federal Narcotic Laws; etc., and declaring an emergency."

H. B. No. 70, A bill to be entitled "An Act authorizing cities, towns and villages to provide Workmen's Compensation Insurance for city, town, and village employees and their representatives and beneficiaries for personal injuries sustained in the course of employment and from death resulting from such injuries; etc., and declaring an emergency."

H. J. R. No. 10, Proposing amendment to the Constitution of the State of Texas by amending Section 1 of Article VI so as to confer the right to vote upon members of the regular establishment of the United States Army, Navy, Marine Corps, or Air Force, or component branches thereof, provided such person shall meet the residence requirements for voting as prescribed in Section 2 of Article VI of the Constitution of Texas and that such person shall have established his legal residence in Texas prior to entry into the regular armed forces of the United States, and has paid his poll tax or secured his exemption certificate, etc.; and declaring an emergency.

H. B. No. 600, A bill to be entitled "An Act to repeal Article 2650 of the Revised Civil Statutes of Texas of 1925, and to repeal Article 2652 of the Revised Civil Statutes of Texas of 1925, and declaring an emergency."

H. B. No. 922, A bill to be entitled "An Act making an appropriation for the balance of the fiscal year

ending August 31, 1953, to the Texas Liquor Control Board in the sum of Ten Thousand, Six Hundred and Sixty-nine Dollars and Seventy-six Cents (\$10,669.76) out of the Liquor Act Enforcement Fund in the State Treasury of the State of Texas; and declaring an emergency."

H. B. No. 135, A bill to be entitled "An Act to amend Section 37 of Senate Bill No. 111, passed at the Second Called Session of the 41st Legislature and known as Chapter 61, page 100, of the General Laws passed by the Second Called Session of the 41st Legislature, and declaring an emergency."

H. B. No. 4, A bill to be entitled "An Act to facilitate vehicular traffic in the State of Texas by providing for the construction, maintenance, repair and operation of a Turnpike Project; creating the Dallas-Fort Worth Turnpike Authority and defining its powers and duties; providing for financing the construction of such Project by the issuance of turnpike revenue bonds of the Authority, payable solely from tolls and other revenues to pay the cost of maintenance, repair and operation of such Project and to pay such bonds and the interest thereon; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 353, A bill to be entitled "An Act amending Section 10, House Bill 69, Acts of the 51st Legislature, Regular Session, 1949, (Section 10 of Article 4590d, Revised Civil Statutes of Texas, 1925) by providing grounds for refusal of and cancellation, revocation and suspension of licenses, providing for the powers and duties of the State Board of Naturopathic Examiners; etc.; and declaring an emergency."

House Bills on First Reading

The following bills, received from the House were read the first time and were referred to the committees indicated:

H. B. No. 127, to the Committee on Counties and County Boundaries.

H. B. No. 871, to the Committee on Counties and County Boundaries.

Conference Committee on House Bill 565

Senator Martin called from the President's table for consideration at

this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 565 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Martin, Shireman, Kazen, Ashley and Strauss.

Report of Standing Committee

By unanimous consent, Senator Secrest submitted the following report:

Austin, Texas
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 127, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman.

House Bill 850 Re-referred

On motion of Senator Aikin, and by unanimous consent of the Senate, H. B. No. 850 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties and County Boundaries.

House Bill 127 Ordered Not Printed

On motion of Senator Shireman, and by unanimous consent of the Senate, H. B. No. 127 was ordered not printed.

Bills and Resolutions Signed

The President signed, in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 336, A bill to be entitled "An Act amending Subsections 1 and 7 of Section 5 of Chapter 470, page 1178, of the Acts of the 45th Legislature, 1937, as amended by Chapter 376, page 610, of the Acts of the 47th Legislature, 1941, as amended by Chapter 377, page 676, of the Acts of the 48th Legislature, 1943, as amended by Chapter 248, page 441, of the Acts of the 50th Legislature, 1947,

as amended by Chapter 139, page 244, of the Acts of the 51st Legislature, 1949, as amended by Chapter 502, page 1486, of the Acts of the 52nd Legislature, 1951, and being known also as Subsections 1 and 7 of Section 5 of Article 2922-1 of Vernon's Revised Civil Statutes of Texas, 1925, to provide for compulsory retirement of members of the Teacher Retirement System upon reaching a certain age under certain conditions, to provide procedures by which members eligible to retire may designate nominees and optional allowance for retirement, and change such designations prior to retirement; to provide that such designations shall become effective and payable immediately upon death of such members; and declaring an emergency."

S. B. No. 332, A bill to be entitled "An Act to provide for the issuance by the State Highway Department of special license tags to owners of passenger motor vehicles who operate mobile amateur radio equipment therein, and who have Federal Communication Commission authority; etc.; and declaring an emergency."

S. B. No. 305, A bill to be entitled "An Act to define the offense of encouraging or contributing to child delinquency and prescribing the punishment therefor, stating the definition of the term delinquency, fixing the jurisdiction of the court, authorizing the court to suspend any sentence imposed and to require a bond conditioned on the performance of conditions imposed by the court, amending and re-enacting House Bill 656, Chapter 500, Acts Fifty-first Legislature, Regular Session, 1949; repealing Article 534 of the Penal Code of Texas, 1925, as amended, insofar as it conflicts herewith; and declaring an emergency."

S. B. No. 326, A bill to be entitled "An Act making it unlawful for any person to tamper with, damage, or destroy any barricade placed upon any street, road or highway; making it unlawful for any person to disobey the instructions, signals, markings or warnings of any warning sign or device placed upon any street, road or highway; defining certain terms; providing that this Act shall not be applicable to certain persons lawfully engaged in their duties; providing penalties for violation of this Act;

providing a savings clause; and declaring an emergency."

S. B. No. 168, A bill to be entitled "An Act granting teachers who heretofore have withdrawn deposits from the Teacher Retirement System the privilege of redepositing said funds under certain conditions and limitations; etc., and declaring an emergency."

S. B. No. 333, A bill to be entitled "An Act to amend Article 1287a of the Revised Civil Statutes of the State of Texas, Revision of 1925, by adding a new and additional section exempting Livestock Auction Commission Merchants which are regulated by the United States Department of Agriculture under the Packers and Stockyards Act; and declaring an emergency."

S. B. No. 77, A bill to be entitled "An Act repealing Articles 601 and 602, R.C.S. of Texas of 1925, thereby abolishing the present Board of Control and enacting a new Article 601, creating a new Board of Control; etc., and declaring an emergency."

S. B. No. 227, A bill to be entitled "An Act making an appropriation from the General Revenue Fund for the publication of certain proposed Constitutional Amendments and for paying labor costs and other expenses thereto; and declaring an emergency."

S. B. No. 248, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to lease at public auction for oil, gas, sulphur, mineral ore, and other mineral developments all lands used as experimental stations and all other lands under its exclusive control; providing for the 'Agricultural and Mechanical College of Texas Special Mineral Fund' and the manner it is to be administered; providing for the permanent fund and the expenditure of the income from same; etc.; and declaring an emergency."

S. C. R. No. 46, State Board of Control to contract with San Jacinto Museum of History Association for Custody of San Jacinto Memorial Tower.

S. C. R. No. 63, Memorial to Hon. A. W. Taber.

House Bill 793 on Second Reading

On motion of Senator Martin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 793, A bill to be entitled "An Act relating to the terms and appointment of members of the Senate and the House of Representatives on the Legislative Budget Board and the Legislative Council; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 793 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 793 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Bell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 15 with House Amendments

Senator Moore called S. B. No. 15 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Moore moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 175 with House Amendments

Senator Sadler called S. B. No. 175 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Sadler moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 334 with House Amendments

Senator Aikin called S. B. No. 334 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Aikin moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Ashley	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
McDonald	Wagonseller
Moffett	Willis

Absent

Lock	Weinert
Martin	

Absent—Excused

Bell

House Bill 427 on Second Reading

Senator Moffett asked unanimous consent to suspend the regular order of business to take up for consideration at this time H. B. No. 427.

There was objection.

Senator Moffett then moved to suspend the regular order of business to take up H. B. No. 427.

The motion prevailed by the following vote:

Yeas—23

Aikin	Lock
Ashley	Moffett
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Weinert

Nays—4

Moore	Wagonseller
Sadler	Willis

Absent

Martin	McDonald
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Paired

Senator J. B. Rogers (present), who would vote nay with Senator Bell, (absent), who would vote yea.

The President laid before the Senate for consideration at this time the following bill:

H. B. No. 427, A bill to be entitled "An Act making it unlawful to feed garbage to livestock animals except under rules and regulations promulgated by the Livestock Sanitary Commission; defining garbage; stating conditions under which owners shall not receive indemnity payments; providing a penalty; providing a savings clause; and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend House Bill No. 427 by striking out on line 43, page 1 of printed bill the words, "trichinosis, tuberculosis, brucellosis or erysipelas."

The amendment was read.

Senator Weinert moved the previous question on the pending amendment and the bill and the motion was duly seconded.

Question—Shall the previous question now be put?

The previous question was ordered by the following vote:

Yeas—18

Aikin	Lane
Ashley	Latimer
Bracewell	Lock
Colson	Moffett
Fuller	Parkhouse
Hardeman	Sadler
Hazlewood	Shireman
Kazen	Strauss
Kelley	Weinert

Nays—11

Corbin	Rogers of Travis
McDonald	Russell
Moore	Rutherford
Phillips	Secrest
Rogers	Wagonseller
of Childress	Willis

Absent

Martin

Absent—Excused

Bell

The amendment was adopted.

Senator Moffett offered the following committee amendment to the bill:

Amend H. B. No. 427 by inserting a period after the word "feeding" in the fourth line of Section 22 (b) and striking out the rest of the sentence; and also by striking out the entire following sentence, beginning with the words: "the temperature charts, etc."

The committee amendment was adopted.

On motion of Senator Moffett, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

House Bill 427 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 427 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Ashley	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Weinert
Moffett	Willis

Nays—3

McDonald	Wagonseller
Rogers of Travis	

Absent

Kelley	Martin
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Absent—Excused

Bell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Weinert moved the previous question on the final passage of H. B. No. 427, and the motion was duly seconded.

Question—Shall the previous question now be put?

The previous question was ordered by the following vote:

Yeas—18

Aikin	Lane
Ashley	Latimer
Bracewell	Lock
Colson	Moffett
Fuller	Phillips
Hardeman	Russell
Hazlewood	Shireman
Kazen	Strauss
Kelley	Weinert

Nays—10

Corbin	Rutherford
McDonald	Sadler
Moore	Secrest
Rogers	Wagonseller
of Childress	Willis
Rogers of Travis	

Absent

Martin	Parkhouse
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Absent—Excused**Bell**

Question recurring on the bill, H. B. No. 427 was passed by the following vote:

Yeas—25

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Weinert

Nays—2

Wagonseller	Willis
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Absent

Martin	Parkhouse
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Paired

Senator J. B. Rogers (present), who would vote nay with Senator Bell, (absent), who would vote yea.

Message from the Governor

The President laid before the Senate and directed the Reading Clerk to read the following message received from the Governor:

Austin, Texas,
May 25, 1953.

To the Members of the Fifty-third Legislature:

I am vetoing and returning herewith Senate Bill No. 29. In an opinion from the Attorney General, dated today, I am advised that S. B. 29 violates Article I, Section 19, of the Constitution and is therefore unconstitutional.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Senate Bill 160 with House Amendments

Senator Hazlewood called S. B. No. 160 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hazlewood moved that the Senate concur in the House amendments.

The motion prevailed.

House Bill 769 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 769, A bill to be entitled "An Act to amend Section 1 of Senate Bill No. 152, Chapter 77, Acts of the 41st Legislature, Second Called Session, 1929 (Art. 7258, V.A.C.S.), by providing that Tax Collectors shall in counties having 50,000 population, or more, according to the last preceding federal census, and of cities, political subdivisions or tax assessing districts within such counties, issue, upon request, a certificate showing the condition of taxes, interest, penalty and costs on the property therein stated, and providing that all such certificates issued which shall show all taxes, interest, penalty and costs on the property stated therein, to be paid to and including the year thereon stated; shall be conclusive evidence of the payment of all such taxes, interest, penalty and costs, providing same was not issued through fraud or collusion; and providing that Tax Collector and his deputies shall be liable for loss resulting from fraud and collusion or negligence in issuing such certificate; and repealing all laws or parts of laws in conflict therewith; and declaring an emergency."

The bill was read second time.

Senator Aikin offered the following amendment to the bill:

Amend H. B. 769 by adding the following at the end of the first sentence of the quoted Section 1 (of Art. 7258a):

"A charge of not to exceed One (\$1.00) Dollar may be made for each such certificate issued."

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend the caption of H. B. 769 to conform to the body of the bill.

The amendment was adopted.

The bill, as amended, was passed to third reading.

Record of Votes

Senators Shireman, Lane and Hardeman asked to be recorded as voting "nay" on the passage of H. B. No. 769 to third reading.

House Bill 769 on Third Reading

Senator Aikin moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 769 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Moore
Ashley	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hazlewood	Rutherford
Kazen	Secrest
Kelley	Strauss
Latimer	Wagonseller
Lock	Weinert
Moffett	Willis

Nays—5

Hardeman	Russell
Lane	Shireman
McDonald	

Absent

Martin	Sadler
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Absent—Excused

Bell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Hardeman, Lane, Ashley, McDonald and Shireman asked to be recorded as voting "nay" on the final passage of H. B. No. 769.

House Bill 141 on Third Reading

Senator Fuller moved to suspend the regular order of business to take up for consideration at this time H. B. No. 141.

The motion prevailed by the following vote:

Yeas—21

Aikin	Phillips
Bracewell	Rogers
Fuller	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Sadler
Latimer	Secrest
McDonald	Shireman
Moffett	Strauss
Moore	Wagonseller

Nays—7

Ashley	Lock
Colson	Weinert
Corbin	Willis
Hardeman	

Absent

Martin	Parkhouse
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Absent—Excused

Bell

The President laid before the Senate on third reading and final passage the following bill:

H. B. No. 141, A bill to be entitled "An Act to eliminate the disadvantage to Lamar State College of Technology, Beaumont, Texas, and Texas Southern University, Houston, Texas, occasioned by their exclusion from the benefits of the State tax to finance buildings at State institutions of higher learning; etc., and declaring an emergency."

The bill was read the third time.

On motion of Senator Fuller and by unanimous consent of the Senate the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was finally passed.

Record of Votes

Senators Colson, Ashley, Weinert, Willis and Hardeman asked to be recorded as voting "nay" on the final passage of H. B. No. 141.

Conference Committee Report on House Concurrent Resolution 81

Senator Rogers of Travis submitted the following conference committee report on H. C. R. No. 81:

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. C. R. No. 81, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

ROGERS of Travis
HARDEMAN
LANE
RUTHERFORD

On the part of the Senate.

JOHNSON
JONES
SANDAHN
BISHOP
ELLIOTT

On the part of the House.

H. C. R. No. 81—

Whereas, The City of Austin in Travis County, Texas, in connection with the construction of the new bridge across the Colorado River which will connect on the south side thereof to South 1st Street, has prepared plans for the widening and improvement of South 1st Street southerly from the Colorado River to the south City Limits to provide a cross-town thoroughfare; and

Whereas, Such thoroughfare, as planned, will traverse the western part of the tract of land now owned by the State and now set apart for the Texas School for the Deaf, along the right-of-way hereinafter described; and

Whereas, Upon the opening of such thoroughfare as planned, the remaining property of the State will abut such boulevard, and as a result, such property will be greatly enhanced in value; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That in consideration of the benefits which will accrue to the State of Texas by reason of the development and maintenance of such thoroughfare, there is hereby dedicated and granted to the City of Austin an easement for street and thoroughfare purposes, upon and along the following described tract of land:

A strip of land of an average width

of forty-two (42) feet, more or less, same being the west forty-two (42) feet average, more or less, of those two (2) tracts of land conveyed to the State of Texas by deed recorded in Volume F, page 496, and Volume M, page 155, Deed Records of Travis County, Texas; and be it further

Resolved, That all damages that may be incurred as a result of any development or improvement of said tract of land shall be the obligation and liability of the City of Austin and the State of Texas shall not be held liable therefor.

The report was read and was adopted.

Conference Committee Report on House Concurrent Resolution 82

Senator Rogers of Travis submitted the following Conference Committee report on H. C. R. No. 82:

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. C. R. No. 82, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

ROGERS of Travis
HARDEMAN
LANE
RUTHERFORD

On the part of the Senate.

JOHNSON
JONES
SANDAHN
BISHOP
ELLIOTT

On the part of the House.

H. C. R. No. 82—

Whereas, The City of Austin in Travis County, Texas, has prepared plans for the extension of Shoal Creek Boulevard southerly from Hancock Drive to West 34th Street, to provide a traffic artery in the direction of the business district; and

Whereas, Such boulevard as planned will traverse the eastern part of a tract of land owned by the State and now set aside for the Texas Deaf and Blind Orphan School, along the right of way hereinafter described; and

Whereas, Upon the opening of such boulevard as planned, the remaining property of the State will abut such boulevard, and as a result, such property will be greatly enhanced in value; now, therefore, be it

Resolved, By the House of Representatives, the Senate concurring, that in consideration of the benefits which will accrue to the State of Texas by reason of the development and maintenance of such boulevard, there is hereby dedicated and granted to the City of Austin an easement for street and boulevard purposes, upon and along the following described tract of land:

2.129 acres of land, same being out of and a part of that certain 100 acre tract of land out of the George W. Spear League in the City of Austin, Travis County, Texas, which was conveyed to the State of Texas by deed dated July 28, 1887, of record in Volume 76 at page 225 of the Deed Records of Travis County, Texas, which 2.129 acres of land is more particularly described by metes and bounds as follows:

Beginning at a steel pin on the point of intersection of the north line of the said State of Texas tract, with the proposed east line of Shoal Creek Boulevard and from which steel pin the northeast corner of the said State of Texas tract bears S. 60 degrees 36' E. 138.00 feet;

Thence following the proposed east line of Shoal Creek Boulevard, same being a line 138.00 feet westerly from and parallel to the east line of the said State of Texas tract, S. 30 degrees 10' W. 954.81 feet to a steel pin on the point of curvature of a curve having an intersection angle of 49 degrees 09'; a tangent distance of 183.61 feet and a radius of 401.51 feet;

Thence following said curving line to the left an arc distance of 206.45 feet, the subchord of which arc bears S. 15 degrees 26' W. 204.18 feet to a steel pin on the south line of the said State of Texas tract and from which steel pin a concrete monument at the most easterly southeast corner of the said State of Texas tract bears S. 59 degrees 55' E. 85.95 feet;

Thence with the south line of the said State of Texas tract, N. 59 degrees 55' W. 89.51 feet to a steel pin on the proposed west line of Shoal Creek Boulevard, said line being a curve whose intersection angle is 49 degrees 09', whose radius is 481.51 feet, and whose tangent distance is 220.20 feet;

Thence following said curving line to the right an arc distance of 203.63 feet, the subchord of which arc bears N. 18 degrees 03' E. 202.12 feet to a steel pin on the point of tangency of said curve;

Thence continuing with the proposed west line of Shoal Creek Boulevard, N. 30 degrees 10' E. 953.73 feet to a steel pin on the north line of the said State of Texas tract;

Thence with the north line of the said State of Texas tract, S. 60 degrees 36' E. 80.01 feet to the point of beginning; and, be it further

Resolved, That all damages that may be incurred as a result of any development or improvement of said tract of land shall be the obligation and liability of the City of Austin and the State of Texas shall not be held liable therefor.

The report was read and was adopted.

Conference Committee Report on House Concurrent Resolution 83

Senator Rogers of Travis submitted the following Conference Committee Report on H. C. R. No. 83:

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate;

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. C. R. No. 83, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

ROGERS of Travis
HARDEMAN
LANE
RUTHERFORD
On the part of the Senate.
JOHNSON
JONES
SANDAHN
BISHOP
ELLIOTT
On the part of the House.

H. C. R. No. 83—

Whereas, The City of Austin, in Travis County, Texas, has prepared plans for the widening and development of West 35th Street, from Jackson Avenue to Scenic Drive to provide a cross-town thoroughfare; and

Whereas, Such thoroughfare as planned will traverse portions of the southern part of the tracts of land owned by the State and now occupied as sites for Camp Hubbard and Camp Mabry, and will traverse a portion of the northern part of the tract of land owned by the State and now set apart as a site for the Austin State School, along the right of way hereinafter described; and

Whereas, Upon the opening of such thoroughfare as planned, the remaining property of the State will abut such boulevard, and as a result, such property will be greatly enhanced in value; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That in consideration of the benefits which will accrue to the State of Texas by reason of the development and maintenance of such thoroughfare, there is hereby dedicated and granted to the City of Austin an easement for street and thoroughfare purposes, upon and along the following described tracts of land:

Three (3) strips of land, each of the said three (3) strips of land being more particularly described as follows:

Tract No. 1:

The north ten (10) feet of that certain tract of land out of the George W. Spear League in the City of Austin, Travis County, Texas, which was conveyed to the State of Texas by Warranty Deed dated July 26, 1916, of record in Volume 286, page 330, Deed Records of Travis County, Texas, and being the north ten (10) feet of that portion of said tract which faces on West 35th Street, which tract of land is now occupied by the Austin State School.

Tract No. 2:

The south ten (10) feet of those two (2) tracts of land out of the George W. Spear League in the City of Austin, Travis County, Texas, which were conveyed to the State of Texas by the following two (2) warranty deeds:

(1) Dated May 16, 1935, of record in Volume 530 at page 66, Deed Records of Travis County, Texas.

(2) Dated May 16, 1935, of record in Volume 526, page 361, Deed Records of Travis County, Texas.

Tract No. 3:

The south fifteen (15) feet of a portion of that certain tract of land out of the Daniel J. Gilbert Survey in

the City of Austin, Travis County, Texas, which was conveyed to the State of Texas by deed of record in Volume 183, page 48, Deed Records of Travis County, Texas, and being the south fifteen (15) feet of that portion of said tract which fronts on West 35th Street, said tract of land being a portion of the grounds of Camp Mabry; and be it further

Resolved, That all damages that may be incurred as a result of any development or improvements of said tract of land shall be the obligation and liability of the City of Austin and the State of Texas shall not be held liable therefor.

The report was read and was adopted.

Conference Committee Report on House Concurrent Resolution 84

Senator Rogers of Travis submitted the following conference committee report on H. C. R. No. 84:

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. C. R. No. 84, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

ROGERS of Travis
HARDEMAN
LANE
RUTHERFORD

On the part of the Senate.

JOHNSON
JONES
SANDAHN
BISHOP
ELLIOTT

On the part of the House.

H. C. R. No. 84—

Whereas, The City of Austin in Travis County, Texas, is constructing a new Water Filter Plant and Pump Station on a site located on the Colorado River west of the land owned by the State of Texas and known as Camp Mabry; and

Whereas, The construction of such plant and pump station and supply mains therefrom will insure a con-

stant adequate supply of water to all properties in the northern part of the City of Austin, including numerous properties occupied by State institutions; and

Whereas, It is necessary for the City of Austin to install and maintain a water supply main from such plant to the major water supply main located on the I. & G. N. Railroad right-of-way located east of Camp Mabry; and

Whereas, The most accessible and convenient route for such water supply main is across Camp Mabry; now, therefore, be it

Resolved by the Members of the House of Representatives, the Senate concurring, That in consideration of the benefits which will accrue to the State of Texas and the inhabitants of the City of Austin by reason of the construction and maintenance of such water main, there is hereby dedicated and granted to the City of Austin an easement for water main purposes, upon and along the following described tract of land:

A strip of land twenty (20) feet in width, same being out of and a part of that certain tract of land out of the George W. Spear League in the City of Austin, Travis County, Texas, conveyed to the State of Texas by deed of record in Volume 105, page 466, Deed Records of Travis County, Texas, and described as 2nd tract on said deed; and also being out of and a part of those certain tracts of land out of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, conveyed to the State of Texas by the following deeds of record in the Deed Records of Travis County, Texas:

- (1) Volume 108—page 232;
- (2) Volume 108—page 233;
- (3) Volume 183—page 48;

the center line of said strip of land twenty (20) feet in width being more particularly described by metes and bounds as follows:

Beginning at a point in the west right-of-way line of the International and Great Northern Railroad, same being the east line of that tract of land conveyed to the State of Texas by deed of record in Volume 105, page 466, Deed Records of Travis County, Texas, and from which point of beginning the southeast corner of said State of Texas tract as evidenced by the corner of a chain link fence bears S. 8° 30' W. 407.70 feet;

Thence following a line twenty (20)

feet north of and parallel to a wire fence, S. 79° 38' W. 1570.58 feet to a point;

Thence S. 58° 53' W. 603.15 feet to a point of termination in the north line of West 35th Street, as evidenced by a chain link fence, and from which point of termination an iron post at an angle point in said chain link fence on the north line of a tract of land conveyed to A. E. Cooper by warranty deed dated April 13, 1938, of record in Volume 584, page 639, Deed Records of Travis County, Texas, bears S. 54° 08' E. 49.8 feet; and be it further

Resolved, That all damages that may be incurred as a result of any development or improvement of said tract of land shall be the obligation and liability of the City of Austin and the State of Texas shall not be held liable therefor.

The report was read and was adopted.

House Bill 801 on Second Reading

On motion of Senator Lane, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 801, A bill to be entitled "An Act amending Section 8 of Chapter 107, Acts of the 41st Legislature, Regular Session, 1929, as amended by Chapter 395, Acts of the 48th Legislature, Regular Session, 1943, as amended by Chapter 469, Acts of the 52nd Legislature, Regular Session, 1951, the same being codified as Section 8 of Article 4542a of Vernon's Civil Statutes, so as to exempt members of the faculty of a reputable college or school of pharmacy recognized by the Texas State Board of Pharmacy where such faculty members who are registered pharmacists, perform their services for the sole benefit of such college or school; and exempting -students of a reputable college or school of pharmacy recognized by the Texas State Board of Pharmacy who perform their services without pay in the presence and under the direct supervision of a registered pharmacist who is a member of the staff of a reputable college or school of pharmacy recognized by the Texas State Board of Pharmacy; providing for a repealing clause; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 801 on Third Reading

Senator Lane moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 801 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Parkhouse
Bracewell	Phillips
Colson	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Sadler
Latimer	Secrest
Lock	Shireman
McDonald	Strauss
Moffett	Weinert

Nays—4

Corbin	Wagonseller
Moore	Willis

Absent

Ashley	Martin
Hazlewood	

Absent—Excused

Bell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Ashley	Moffett
Bracewell	Parkhouse
Colson	Phillips
Fuller	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Sadler
Latimer	Secrest
Lock	Shireman
McDonald	Weinert

Nays—5

Corbin	Wagonseller
Moore	Willis
Strauss	

Absent

Aikin	Martin
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Absent—Excused

Bell

Conference Committee on House Bill 325

Senator Hardeman called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 325 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate:

Senators Hardeman, Lane, Aikin, Ashley and Shireman.

Conference Committee Report on Senate Bill 148

Senator Strauss submitted the following Conference Committee report on S. B. No. 148:

Austin, Texas,
May 19, 1953.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Hon. Ben Ramsey, President of the Senate.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 148, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

STRAUSS
HARDEMAN
FULLER
BELL
SADLER

On the part of the Senate.

OWEN
CARR
YANCY
CARPENTER
KILGORE

On the part of the House.

S. B. No. 148, A bill to be entitled "An Act providing that each valid and subsisting mineral lease heretofore issued by the Commissioner of the General Land Office of Texas covering rivers, channels, unsold school

lands, both surveyed and unsurveyed, or any area within tidewater limits, including islands, lakes, salt water lakes, bays, inlets, marshes, the bed of the sea, and that portion of the Gulf of Mexico now or hereafter within the jurisdiction of Texas, shall be amended by the Commissioner by instrument in writing, upon application of the lessee, to provide, and that each such lease issued hereafter shall provide, that in the event production of oil or gas shall cease from any cause, such lease shall not terminate if additional drilling or reworking operations are conducted; providing that if such operations result in the production of oil or gas, such lease shall remain in full force and effect so long as oil and gas is produced in paying quantities; providing that if there is located on the leased premises a well or wells capable of producing gas in paying quantities but such gas is not being produced for lack of a suitable market, and such lease is not otherwise being maintained, lessee may pay shut-in gas well royalty; providing the minimum amount and time for such payment; providing the term the lessee may extend the lease by such payment; providing that if, while such lease is being maintained in force and effect by payment of such shut-in gas royalty, gas should be sold and delivered in paying quantities from a well situated within one thousand (1,000) feet of the leased premises and completed in the same producing reservoir, or in any case where drainage is occurring, the right to further extend the lease by such shut-in gas well royalty payments shall cease but that such lease shall remain in force and effect for the remainder of the current one (1) year period for which the shut-in gas well royalty has been paid; providing that lessee may maintain the lease in force for a period of five (5) years from the expiration of the primary term by payment of compensatory royalty based on the value at the well of the production from the well situated within one thousand (1,000) feet of, or draining, the leased premises and completed in the same producing reservoir; providing for the time and manner of payment of such compensatory royalty; providing that if the compensatory royalties in any twelve (12) month period are less than the annual shut-in gas well royalties, lessee shall pay a sum of

money equal to the difference within thirty (30) days from the end of such twelve (12) month period; providing that nothing herein shall relieve the lessee of the obligation of reasonable development nor the obligation to drill offset wells; providing for extensions of the primary term of oil and gas leases hereafter issued by the Commissioner of the General Land Office covering the above described areas where production has not been obtained prior to the expiration date of the primary term, if drilling operations are being conducted in good faith and workmanlike manner; stating the terms and conditions upon which applications for such extensions may be granted and placing a limitation upon the granting of extensions; declaring the provisions hereof severable; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Each valid and subsisting mineral lease of oil and gas heretofore issued by the Commissioner of the General Land Office of Texas covering rivers, channels, unsold school lands, both surveyed and unsurveyed, or any area within tidewater limits, including islands, lakes, salt water lakes, bays, inlets, marshes, the bed of the sea, and that portion of the Gulf of Mexico now or hereafter within the jurisdiction of the State of Texas, shall be amended by the Commissioner of the General Land Office by instrument in writing, upon application of lessee, to provide, and each such lease issued hereafter shall provide:

(a) That in the event production of oil or gas on the leased premises after once obtained shall cease from any cause at the expiration of the primary term thereof or at any time or times thereafter, such lease shall not terminate if the lessee commences additional drilling or reworking operations within sixty (60) days thereafter, and such lease shall remain in full force and effect so long as such operations continue in good faith and in workmanlike manner without interruptions totaling more than sixty (60) days during any one such operation; and if such drilling or reworking operations result in the production of oil or gas, such lease shall re-

main in full force and effect so long as oil or gas is produced therefrom in paying quantities or payment of shut-in gas well royalties or compensatory royalties is made as hereafter provided in this Act or as provided elsewhere in the statutes of the State of Texas;

(b) That if at the expiration of the primary term or at any time thereafter there is located on the leased premises a well or wells capable of producing gas in paying quantities and such gas is not produced for lack of a suitable market and such lease is not being otherwise maintained in force and effect, the lessee may pay as royalty a sum of money equal to double the annual rental provided for in such lease but in no event to be less than Twelve Hundred (\$1200.00) Dollars per annum for each well capable of producing gas in paying quantities, such payment to be made prior to the expiration of the primary term of the lease, or, if the primary term has expired, within sixty (60) days after the lessee ceases to produce gas from such well; and if such payment is made, the lease shall be considered to be a producing lease and such shut-in gas well royalty payment shall extend the term of the lease for a period of one (1) year from the end of the primary term or from the first day of the month next succeeding the month in which production ceased; and thereafter if no suitable market for such gas exists the lessee may extend the lease for four (4) additional and successive periods of one (1) year each by the payment of a like sum of money each year on or before the expiration of the extended term. Provided, however, that if while such lease is being maintained in force and effect by payment of such shut-in gas well royalty, gas should be sold and delivered in paying quantities from a well situated within one thousand (1,000) feet of the leased premises and completed in the same producing reservoir or in any case where drainage is occurring, the right to further extend the lease by such shut-in gas well royalty payments shall cease but such lease shall remain in force and effect for the remainder of the current one (1) year period for which the shut-in gas well royalty has been paid, for an additional period not to exceed (5) years from the expiration of the primary term by payment by the lessee of compensatory royalty, at the royalty rate provided for in such lease, of

the value at the well of production from the well completed in the same producing reservoir from which gas is being sold and delivered and which is situated within one thousand (1,000) feet of, or draining, the leased premises on which such shut-in gas well is situated, such compensatory royalty to be paid monthly to the Commissioner of the General Land Office beginning on or before the 20th day of the month next succeeding the month in which such gas is sold and delivered from the well situated within one thousand (1,000) feet of, or draining, the leased premises and completed in the same producing reservoir; provided further, that in the event such compensatory royalties paid in any twelve (12) month period are in a sum less than the annual shut-in gas well royalties provided for in this section, lessee shall pay a sum of money equal to the difference within thirty (30) days from the end of such twelve (12) month period; provided further that nothing herein shall relieve the lessee of the obligation of reasonable development, nor of the obligation to drill offset wells as required by Article 5359, Revised Civil Statutes of 1925.

Section 2. If, at the expiration of the primary term of any oil or gas lease hereafter issued by the Commissioner of the General Land Office covering areas described in Section 1 hereof, production of oil or gas has not been obtained on the leased premises but drilling operations are being conducted thereon in good faith and in good and workmanlike manner, the lessee may, on or before the expiration of the primary term, file in the General Land Office written application to the Commissioner of the General Land Office for a thirty (30) day extension of such lease, accompanied by payment of Three Thousand (\$3,000.00) Dollars for six hundred forty (640) acres or less, and Six Thousand (\$6,000.00) Dollars for more than six hundred forty (640) acres, and the Commissioner shall, in writing, extend such lease for a thirty (30) day period from and after the expiration of the primary term and so long thereafter as oil or gas is produced in paying quantities; provided further, that lessee may, so long as such drilling operations are being conducted, make like application and payment during any thirty (30) day extended period for an additional extension of thirty (30) days and, upon receipt of such application and payment, the

Commissioner shall, in writing, again extend the lease so that same shall remain in force for such additional thirty (30) day period and so long thereafter as oil or gas is produced in paying quantities; provided, however, that no lease shall be extended under the provisions of this section for more than a total of one hundred eighty (180) days from and after the expiration of the primary term unless production in paying quantities has been obtained.

Section 3. In the event any section or part of section or provision of this Act be held invalid, unconstitutional or inoperative, this shall not affect the validity of the remaining sections or parts of sections of the Act, but the remainder of the Act shall be given effect as if said invalid, unconstitutional or inoperative section or any part of section or provision had not been included.

Section 4. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 5. The importance of the subject matter of this bill and of the benefits to be derived by the Public Free School Fund of the State of Texas under the provisions hereof creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and such Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

Conference Committee Report on House Bill 459

Senator Kazen submitted the following conference committee report on H. B. No. 459:

Austin, Texas,
May 25, 1953.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Hon. Ben Ramsey, President of the Senate.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 459, have met and had same under consideration, and beg to report it back with the recommendation that

it do pass in the form attached.

EHLERT
HUTCHINS
WARDEN
JONES
CARTER

On the part of the House.

KAZEN
COLSON
STRAUSS
SECRET
McDONALD

On the part of the Senate.

H. B. No. 459

Committee Amendment No. 2

Amend House Bill No. 459 by striking out all above the enacting clause and inserting in lieu thereof the following:

An Act making appropriation to pay certain miscellaneous claims and fund judgments out of the General Revenue Fund or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before payment of any claim shall be paid from the funds hereby appropriated, the same shall have the approval of the State Auditor, the State Comptroller and the Attorney General; providing further that any claims involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency.

Committee Amendment No. 1

Amend H. B. No. 459 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. The following sums of money, or so much thereof as may be necessary, are hereby directed to be paid out of the sum of \$100,000.00, set aside by H. B. No. 111, Regular Session of the 53rd Legislature, "Claims Against the State, for the Years Ending August 31, 1954—August 31, 1955, for the payment of itemized claims and fund judgments against the State that are approved and authorized by the 53rd Legislature in either H. B. No. 459 or S. B. No. 200 there is hereby appropriated to the Comptroller of Public Accounts out of the General Revenue Fund the sum of \$100,000.00," said sums being hereby approved and authorized for the payment of the listed itemized

claims and fund judgments against the State:

To pay Mrs. Maude Fitzallen Pridgen, 3205 East Avenue, Austin, Texas, for refund of court costs \$35.00

To pay Claude J. Gentry, 400 North Alabama, Amarillo, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Leon McPherson, 219 Dewey Street, Orange, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay John Coco, Supply and Fiscal Dept., Naval Air Station, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay LCDR C. B. Diehl, ACTRU USNAS, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay S. K. Felton, 1213 Midland Drive, Kingsport, Tenn., for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Solon J. Xenias, 4102 Kernack Street, Dallas, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Lt. George C. Ritchie, Co. A, 1st Bn MFSS, Fort Sam Houston, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Douglas W. Pingrey, 634 Lansdowne Drive, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Merle C. Hollingsworth, 704 Baylor, Austin, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Lt. J. A. Harbaugh, 3914 Brawner Parkway, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Harold A. Almquist, Instructors Office, USAR, Ft. Sam Houston, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay George A. Lancaster, 1134 5th Ave. H, Texas City, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Carl J. Cain, Box 15114, Houston, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Robert Blaschke, 8521st. Stu. Sqdn., Wichita Municipal Airport, Wichita, Kansas for refund of Motor Vehicle Sales Tax paid erroneously \$21.95

To pay G. H. Bello, 4309 Gertie St., Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Donald W. Anderson, EMH-21 NAS, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Mrs. Robert L. Edgar, 4424 Fairfax, Dallas, Texas, for refund of ad valorem tax paid erroneously \$5.31

To pay Egner Bros., Box 969, Houston, Texas, for Warrant No. 656469 on which payment is prohibited by the Statutes of Limitations \$10.33

To pay City Wide Cigar Company, 1919 N. St. Mary's Street, San Antonio, Texas, for Warrant No. 657107 on which payment is prohibited by the Statutes of Limitations \$136.33

To pay J. Lee Dittert, Attorney for Industry Volunteer Fire Department, Bellville, Texas, refund for overpayment of Charter Filing Fee through error in Secretary of State Office \$40.00

To pay Nathalie Appmann and Ella Grasso, heirs to Estate of Henry Rilling, Jr., deceased, care of Moursound, Ball and Bergstrom, Attorneys, 613 Frost National Bank Building, San Antonio, Texas, overpayment of inheritance tax due to a mistake of fact. (\$1,101.96 for each heir) \$2,203.92

To pay Mrs. Jackie Burns, Independent Executrix of Estate of Beatrice Minot, deceased, care of Davis, Clemens, Knight and Weiss, Attorneys for Estate, 903 South Texas Building, San Antonio, Texas, for overpayment of inheritance tax due to a mistake of fact \$678.45

To pay C. C. Maupin, 123 West 12th Street, Dallas, Texas, for refund of Motor Vehicle Sales Tax paid erroneously \$10.45

To pay Javier Escobar Y Cordova, Vice-Consul de Mexico, 1002-1004 Fidelity Building, Dallas, Texas, for refund of license fees paid on automobile erroneously \$21.43

To pay Miss Pearl Hill, 1638 West Saner, Dallas, Texas, for refund of Ad Valorem Tax paid on property

claimed as homestead, paid erroneously\$11.98

To pay J. T. Kerfoot, 4028½ Southwest Military Drive, San Antonio, Texas, for refund of taxes paid erroneously on property he did not own\$23.95

To pay Rheim M. Jones, U. S. Public Health Service Hospital, Galveston, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Jim Albert Morris, 812 Decatur Street, Orange, Texas, for refund of Motor Vehicle Use Tax paid erroneously\$14.25

To pay Dennis C. Canant, Co. A, 46th Eng. Constr. En. Camp Polk, La., for refund of Motor Vehicle Use Tax paid erroneously\$14.25

To pay Thomas H. Swan, 103 Artillery Post, Ft. Sam Houston, Texas, for refund of Motor Vehicle Use Tax paid erroneously\$14.25

To pay Paul H. Brown, Board of Insurance Commissioners, Austin, Texas, for loss of personal radio in State car\$25.00

To pay Charles M. Bilbrey, Ballinger, Texas, for refund of overpayment of Motor Vehicle Sales Tax, paid under mistake of fact.....\$16.72

To pay Mrs. J. P. Cecil, 715 West Chambers Street, Cleburne, Texas, for refund of overpayment of inheritance tax through a mistake of fact\$338.98

To pay Jonathan E. Boggs, 4613 South Travis, Amarillo, Texas, for refund of overpayment of Motor Vehicle Sales Tax\$24.58

To pay Frederick H. Chetlain, 616 Bonham, Paris, Texas, for refund of double payment of poll tax.....\$2.07

To pay Coronia Silica Corporation, 2240 Commerce Building, Houston, Texas, for refund of overpayment of franchise taxes paid through a mistake of fact.....\$116.76

To pay Marc G. Davenport, 2806 First Street, Brownwood, Texas, for refund of overpayment of sales tax on house trailer, paid erroneously\$12.02

To pay John M. Dendy, Jr., 1533 Lakeside Drive, Garland, Texas, for refund of Ad Valorem Taxes paid erroneously on property claimed as a homestead\$7.35

To pay Lalla May Fish, 1503 Far-

ragut Street, Laredo, Texas, for refund of Ad Valorem Tax paid erroneously on homestead.....\$19.35

To pay Sam E. Fox, Muleshoe, Texas, for refund for Gross Receipts Tax paid erroneously\$143.75

To pay Susan R. Freeman, Box 1003, Elkhart, Texas, to pay pension to "last widow of Texas Revolution" for two years\$300.00

To pay H. A. Helstrom, Jr., 6122 Lakehurst Ave., Dallas, Texas, refund of Ad Valorem Tax paid on homestead erroneously\$11.98

To pay J. Thomas Kelley, 1009 Scanlan Building, Houston, Texas, for Warrant No. 303 on which payment is prohibited by the Statutes of Limitations\$11.00

To pay F. G. Lackmann, Box 886, Blytheville, Arkansas, for refund of Motor Vehicles Sales Tax paid erroneously\$15.38

To pay Joseph E. Lawrence, 11123 Stallcup Drive, Dallas, Texas, refund for Ad Valorem Tax paid on homestead erroneously\$8.51

To pay Lubbock Cotton Oil Company, Box 1161, Lubbock, Texas, for refund of overpayment of franchise tax, paid through mistake of fact\$396.25

To pay William Maloch, 1516 41st St., Lubbock, Texas, for refund of overpayment of tax due to error in transferring from appraisal sheet a sum of \$2,120.00 which is the correct valuation of homestead to the assessor's roll of sum of \$5,120.00 which was in error\$20.53

To pay Priscilla King and Martha Henry, heirs to Estate of George H. Nelson, deceased, for refund of overpayment of Inheritance Tax paid through mistake of fact (\$615.15 each heir)\$1,230.30

To pay National Farm and Home Loan Association, Bonham, Texas, for refund of double payment of Ad Valorem Tax paid erroneously ...\$31.29

To pay Petty Geophysical Engineering Company, Drawer 2061, San Antonio, Texas, for refund of overpayment of franchise tax—paid through mistake of fact.....\$262.90

To pay Albert T. Slavik, Secretary of dissolved Patricio Oil Corporation, 406 Schaparral, Corpus Christi, Texas, for refund of overpayment of fran-

chise tax due to a mistake of fact . . . \$1,604.77

To pay Acme Brick Company, Van Zandt Smith, Attorney, 806 Dan Waggoner Building, Ft. Worth, Texas, to refund overpayment of Filing Fees paid due to mistake of fact . . . \$1,640.00

To pay J. D. Todd, Jr., District Attorney, Corpus Christi, Texas, for additional compensation on salary . . . \$1,186.05

To pay John C. White, State Department of Agriculture, Austin, Texas, for reimbursement of travel expense . . . \$197.56

To pay Charles A. Zilker Estate Denman, Franklin and Denman, Attorneys, San Antonio Loan and Trust Bldg., San Antonio, Texas, for refund of overpayment of inheritance tax, due to mistake of fact . . . \$7,891.24

To pay Paul A. White, 3560th Motor Vehicle Sqdn., Webb Air Force Base, Box 8, Big Spring, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Newton Anderson, NAAS Cabaniss Field, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay B. G. Angerth, SUB GRU ONE TEXGRU U. S. Naval Station, Orange, Texas, for refund of overpayment of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Alexander E. Berger, 4121 ASU Food Serv. School, Ft. Sam Houston, Texas, for refund of Motor Vehicle Tax paid erroneously . . . \$14.25

To pay Carl F. Bretzius, 810 Ad-dax Drive, San Antonio, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Wayne C. Carroll, 6151 Holloway Street, Ft. Worth, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Coastal Finance Company, 715 North Water Street, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Joseph T. Collins, 881 Gulf Street, San Antonio, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay George G. Delmerico, 9361st TSU, Red River Arsenal, Texarkana,

Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay John D. Gammon, USNA Sta., Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay George E. Gwartney, NAAS Cabaniss Field, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Charles L. Hedberg, 245 Clem Road, San Antonio, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Edward L. Hoffman, 84 Beacon Street, Boston, Mass., for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Col. Reese H. Jackman, 446 Graham Rd., Ft. Sam Houston, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Richard D. Johnson, Service Div., Red River Arsenal, Texarkana, Texas, for refund of Motor Vehicle Tax paid erroneously . . . \$14.25

To pay Ralph L. Jorgensen, 3521 Stu. Sqdn., Wichita Municipal Airport, Wichita, Kansas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Elmer W. Libstaff, Transportation Section, 4th Army, Ft. Sam Houston, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay James A. McArthur, 114 Riverside Park, Iowa City, Iowa, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Jerry B. Marion, 4306 Rossmoyne, Houston, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Fraxier D. Miller, 1741 Peninsula Rd., Akron, Ohio, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Marcus L. Morgan, NAAS, Cabaniss Field, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay J. W. Murray, Texas Christian University, Ft. Worth, Texas, for refund of Motor Vehicle Use Tax paid erroneously . . . \$14.25

To pay Frank O. Pettit, 7127 East Zion Street, Tulsa, Oklahoma, for re-

fund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Charles P. Raynor, Powellsville, North Carolina, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Jack Reisner, Box 131, Perryton, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay James D. Saunders, 1733 Walnut Street, Grand Prairie, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay George T. Scott, 1220 South 41st Street, Temple, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay J. D. Simpson, 808th Sup. Sqdn., Bergstrom Air Base, Austin Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay George A. Stevens, 86 Crozier Road, Cambridge, Mass., for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay C. F. Vaughn, Box 472.1, Leonard, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay James C. Pettit, 3320 Food Service, Amarillo Air Force Base, Amarillo, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Harold R. Vague, 520 Fairchild Drive, Fort Worth, Texas, for refund of Motor Vehicle Use Tax paid erroneously \$14.25

To pay Minnesota Mutual Life Insurance Co., St. Paul, Minn., for refund of overpayment of Premium Tax paid under a mistake of fact \$186.58

To pay Boston and Old Colony Insurance Company, 87 Kilby Street, Boston, Mass., for refund of overpayment of Premium Tax paid through mistake of fact \$184.09

To pay Herbert Reed, 35th District Court, Brownwood, Texas, for services rendered in re: State of Texas vs. Eugene Johnson \$38.40

To pay Odessa J. Smith, Court Reporter, 211 Courthouse, Beaumont, Texas, for services rendered in re: State of Texas vs. Pearl Austin \$7.00

To pay John Hassenflu, Van Horn, Texas, for overpayment of Gross Receipts Tax paid under mistake of fact \$1,128.87

To pay C-B Construction Company, c/o O'Neal Bacon, Newton, Texas, for refund of application of permit to do business in Texas—paid under mistake of fact \$50.00

To pay Mortgage and Trust Company, Houston, Texas, for refund of double payment of Ad Valorem Tax—paid under mistake of fact \$10.59

To pay Consolidated Lloyds Insurance Company, Dallas, Texas, for refund of overpayment of Health and Accident Premium Tax—paid under mistake of fact \$670.73

To pay Dallas Petroleum Company, National City Building, Dallas, Texas, for refund of overpayment of 1951 Franchise Tax—paid under mistake of fact \$31.80

To pay C. E. Walker, Box 1207, Three Rivers, Texas, for refund of overpayment of Gross Production Tax—paid under mistake of fact \$708.06

To pay Mrs. H. A. Fuchs Estate, Buckholts, Texas, for refund of Ad Valorem Taxes paid erroneously \$57.49

To pay Steve Heffington, Austin, Texas, for refund of double payment of Ad Valorem Taxes, paid erroneously \$150.81

To pay Clyde Grissom, Chief Justice, Court of Civil Appeals, Eastland, Texas, for special services rendered—travel expense \$39.02

To pay Milburn S. Long, Associate Justice, Court of Civil Appeals, Eastland, Texas, for special services rendered—travel expense \$42.10

To pay Cecil C. Collings, Associate Justice, Court of Civil Appeals, Eastland, Texas, for special services rendered—travel expense \$35.92

To pay, Mrs. Sam Kranson, 1827 Brummel Street, Evanston, Illinois, for refund of Ad Valorem Tax paid by reason of a mistake of fact \$34.37

To pay Bessie McFerren, 2202 Avenue P., Galveston, Texas, for refund of Ad Valorem Tax paid erroneously on property claimed as a homestead \$12.13

To pay Mr. and Mrs. Juan Ramirez, Box 549, Kingsville, Texas, for refund of double payment of Poll Taxes \$2.58

To pay Southwest Insurance Company, San Antonio, Texas, for refund of overpayment of Occupation Taxes paid erroneously \$6,568.72

To pay Tri-State Insurance Company, Tulsa, Oklahoma, for overpayment of Premium Tax paid erroneously	\$2,082.30	Company, Dallas, Texas, for refund of duplicate payment of Retail Sales Tax paid erroneously	\$13.59
To pay T. O. Sutton & Sons, Chireno, Texas, for overpayment of Ad Valorem Taxes, paid erroneously	\$96.87	To pay Helen Battenfield, care of Lassetter, Spruiell, Lowrey & Potter, Attorneys, 1102 Peoples National Bank Building, Tyler, Texas, for refund of overpayment of Inheritance Tax paid through mistake of fact	\$732.20
To pay Archie Fowler, U. S. Naval Air Station, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously	\$14.25	To pay A. E. Weiner, 2317 Avenue J, Galveston, Texas, for refund of Ad Valorem Tax paid due to a mistake of fact	\$20.17
To pay Mrs. Joseph W. Healy, Jr., 1417 Fairview Terrace, Alexandria, Virginia, for refund of Motor Vehicle Use Tax paid erroneously	\$14.25	To pay William Travis Barnett, 1914 Elkins, Killeen, Texas, for reimbursement for mileage when subpoenaed as witness in murder trial	\$315.60
To pay Capt. Joseph L. Peluso, ROTC Department, University of Houston, Houston, Texas, for refund of Motor Vehicle Use Tax paid erroneously	\$14.25	To pay Kirsch Company, Sturgis, Michigan, for refund of overpayment of Franchise Taxes paid through mistake of fact	\$489.56
To pay George T. Washburn, Jr., Box 1141, Rt. 3, Oroville, California, for refund of Motor Vehicle Use Tax paid erroneously	\$14.25	To pay Vernon McDaniel, care of Department of Agriculture, Austin, Texas, for travel expense while traveling on State of Texas business	\$268.70
To pay Lt. A. B. Forrest, Cabaniss Field, Corpus Christi, Texas, for refund of Motor Vehicle Use Tax paid erroneously	\$14.25	To pay Farm & Home Savings & Loan Association, Travis at Jefferson, San Antonio, Texas, for refund of double payment of Ad Valorem Tax paid erroneously	\$4.39
To pay Estate of Elizabeth T. Renick, care of B. Coleman Renick, Ind. Ex., Milam Building, San Antonio, Texas, deceased, for refund of duplicate payment of Inheritance Tax paid due to mistake of fact	\$88.89	To pay Affiliated Gas Equipment Company, 17877 St. Clair Avenue, Cleveland, Ohio, for refund of overpayment of Franchise Tax paid through mistake of fact	\$1,084.39
To pay Insur-O-Medic Life Insurance Company, care of Brundidge, Fountain, Elliott and Bateman, Attorneys, Dallas, Texas, for refund of overpayment of Premium Tax paid due to a mistake of fact	\$473.54	To pay Heirs of W. J. Banner Estate, care of Charles C. Langdon, Box 753, Midland, Texas, refund for one-half bonus erroneously paid to State of Texas on Oil and Gas Lease	\$3,017.25
To pay Ditmore Land & Cattle Co., Box 409, Cisco, Texas, for refund of property purchased through a mistake of title and paid through mistake of fact	\$113.74	To pay Wanda R. Castle, 4703 Junius Street, Dallas, Texas, refund for double payment of Ad Valorem Tax paid through mistake of fact	\$16.56
To pay A. W. Laird, 2204 Hurley Street, Fort Worth, Texas, for reimbursement of travel expenses out of the State of Texas while on State business	\$58.37	To pay K. L. Ellis, Marquand, Missouri, for refund of double payment of Ad Valorem Tax paid erroneously	\$4.02
To pay Texas Aeronautics Commission, Austin, Texas, for unpaid bills carried from past biennium	\$709.66	To pay Milburn S. Long, Associate Justice, Court of Civil Appeals, Eastland, Texas, for services rendered as Special Judge—travel expense	\$52.40
To pay the Steck Company, Austin, Texas, for furniture delivered to Aeronautics Commission, whose appropriation was exhausted	\$398.35	To pay Clyde Grissom, Chief Justice, Court of Civil Appeals, Eastland, Texas, for services rendered as Special Judge—travel expense	
To pay Western Union Telegraph			

cial Judge for State of Texas—travel expense	\$52.40	Box T, Freeport, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$120.59
To pay Cecil C. Collings, Associate Justice, Court of Civil Appeals, Eastland, Texas, for services rendered as Special Judge for State of Texas—travel expenses	\$52.40	To pay Raymond Haynes, Rt. 2, Electra, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$100.00
To pay Albert F. Pitchford, Rt. 2, Waller, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$100.00	To pay George L. Stick, Rt. 2, Box 8, Conroe, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$75.00
To pay Roy W. Easman, Sr., Rt. 1, Box 57, Spring, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$175.00	To pay John F. O'Connor, Rt. 6, Dallas, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$218.32
To pay Mrs. Stephen R. Zagst, Rt. 9, Box 902, Houston, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$50.00	To pay Joseph L. Zagst, Rt. 9, Box 902, Houston, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$25.00
To pay Asa Lee Ellis, Rt. 2, Box 59, La Grange, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$25.00	To pay Ephraim D. Neeley, Rt. 9, Box 1447, Waco, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$25.00
To pay Ernest Thomas Radenz, Star Route, Box 26-A, Ledbetter, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$25.00	To pay Dr. G. T. Hall, Big Spring, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$50.00
To pay Joe Anton Swatloski, Star Route, Box 20-A, Ledbetter, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$50.00	To pay Robert W. McCollum, 2901 Fort Avenue, Waco, Texas, as indemnity for destruction of cattle affected with Tuberculosis	\$25.00
To pay Robert Edwin Friedrich, Star Route, Box 37, Ledbetter, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$50.00	To pay Robert W. Oliver, Rt. 4, Box 139, Victoria, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$25.00
To pay Robert E. Winn, Rt. 1, Box 54, Hockley, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$75.00	To pay B. E. Stallones, Tomball, Texas, as indemnity for destruction of cattle affected with tuberculosis	\$606.57
To pay W. A. Hebert, Rt. 2, Box 114-B, Beaumont, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$150.00	To pay R. B. Price, Sr., Box 3008, Station A, El Paso, Texas, as indemnity for destruction of cattle affected with tuberculosis	\$25.00
To pay Harry H. Hargraves, Box 91, Hamshire, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$25.00	To pay James C. Tucker, Rt. 1, Weatherford, Texas, as indemnity for destruction of cattle affected with tuberculosis	\$25.00
To pay James T. Cypert, Rt. 2, Box 572, San Angelo, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$13.46	To pay Homer R. Clemmer, Rt. 5, Abilene, Texas, as indemnity for destruction of cattle affected with tuberculosis	\$25.00
To pay Felix F. Calvert, Box 247, Tomball, Texas, as Indemnity for destruction of cattle affected with Tuberculosis	\$194.26	To pay Van Randon, Box T, Freeport, Texas, as indemnity for destruction of cattle affected with tuberculosis	\$25.00
To pay Mrs. R. E. L. Stringfellow,		To pay Arnold W. Schendel, Rt. 2, Runge, Texas, as indemnity for destruction of cattle affected with tuberculosis	\$25.00

To pay William A. Hebert and Sons, Rt. 2, Box 114, Beaumont, Texas, as indemnity for destruction of cattle affected with tuberculosis \$200.00

To pay William A. Thornton, Rt. 1, Box 880, Fairbanks, Texas, as indemnity for destruction of cattle affected with tuberculosis \$25.00

To pay Harvey M. Oyler, Rt. 4, Seguin, Texas, as indemnity for destruction of cattle affected with tuberculosis \$25.00

To pay W. P. H. McFaddin, Goodhue Building, Beaumont, Texas, as indemnity for destruction of cattle affected with tuberculosis ... \$4,187.84

To pay T. Zedrick Moore, Box 61, Hutchins, Texas, as indemnity for destruction of swine affected with vesicular exanthema \$3,913.37

To pay Bernard Kost, 122 Vandercreek, San Antonio, Texas, for refund of taxes paid erroneously for the years 1950 and 1951 \$21.18

To pay Williamson-Dickie Mfg. Company, for refund of overpayment of franchise tax paid due to mistake of fact \$1,525.00

To pay Brandt Co., Inc., Fort Worth, Texas, for refund of overpayment of franchise tax paid due to mistake of fact \$2,153.31

To pay Lapalm Company, Garth C. Bates, Pres., 1618 Second National Bank Bldg., Houston, Texas, for refund of overpayment of franchise tax paid due to mistake of fact \$43.18

To pay Jack Roach, Inc., 615 Broadway, Houston, Texas, for refund of overpayment of franchise tax paid due to mistake of fact \$391.63

To pay Von Boeckmann-Jones Company, Austin, Texas, for refund of penalty on franchise tax payment paid erroneously as prior permission for extension had been filed \$43.00

To pay Petty Laboratories, Inc., Box 2061, San Antonio, Texas, for refund of overpayment of franchise taxes paid through mistake of fact ... \$43.75

To pay Frank F. Meade, 1733 Walnut Street, Grand Prairie, Texas, for refund of motor vehicle use tax paid erroneously \$14.25

To pay Florey Motor Company, 210 Monseratte, El Campo, Texas, for refund of overpayment of sales tax on

radios in automobiles paid erroneously \$298.60

To pay W. C. Hixson Company, 712½ Elm Street, Dallas, Texas, on Warrant 227983 on which the Statutes of Limitations prohibits payment \$13.95

To pay Donald L. Shiver, 1809½ Rosewood, Houston, Texas, for refund for payment of motor vehicle used tax paid erroneously \$14.25

To pay Dr. Allen Rumelt, Woodville, Texas, for refund of motor vehicles sales tax paid erroneously \$11.35

To pay J. G. Long, Box 1431, Bay City, Texas, for refund of ad valorem tax paid erroneously due to error in tax assessor-collector's office ... \$112.91

To pay Mr. and Mrs. John A. Lokey, 412 North Church Street, Mt. Pleasant, Texas, for refund of sales tax on automobile paid erroneously, \$18.76

To pay Claude C. Steward, care of John H. Adkisson, Centerville, Texas, for refund of use tax on motor vehicle paid erroneously \$14.25

To pay Ted Roggen, Box 1151, Houston 1, Texas, for refund of tax paid on professional tennis match paid under duress \$310.83

To pay Mrs. J. H. Sullivan, George West, Texas, for refund of real estate license and securities dealer license issued to her husband after his demise \$27.00

To pay Hoffman Royalty Company, 617 Ft. Worth Club Bldg., Fort Worth, Texas, for refund of overpayment of Franchise Tax paid under mistake of fact \$1,225.00

To pay Thomas J. Renfro, Associate Justice, Court of Civil Appeals, Second Supreme District, Fort Worth, Texas, for travel expense—special services rendered in Galveston Court ... \$55.04

To pay Ben W. Boyd, Associate Justice, Court of Civil Appeals, Second Supreme District, Fort Worth, Texas, for travel expense—special services rendered in Galveston Court ... \$46.89

To pay Ty M. Field, care of McGowan and McGowan, Attorneys, Brownfield, Texas, for refund of overpayment of full indebtedness on South part of Section 8, R. C. Burns Survey, Cochran County, Texas, paid due to a mistake of fact \$38.61

To pay Estate of Wm. K. Shepperd, Guaranty Title and Trust Co. of Wood and Pratt, Wilson Tower, Corpus Christi, Texas, Trustee for Estate for refund of overpayment of inheritance tax paid through mistake of fact . . . \$1,763.79

To pay Holley Motor Company of Tyler, Tyler, Texas, for refund of overpayment of Franchise Tax paid due to mistake of fact . . . \$741.25

To pay Holley Motor Company of Beaumont, Beaumont, Texas, for refund of overpayment of Franchise Tax, paid due to mistake of fact . . . \$721.25

To pay Edens-Birch Lumber Company (dissolved prior to taxable year), care of Harry R. Jones, Corrigan, Texas, for refund of overpayment of Franchise Taxes paid due to mistake of fact . . . \$2,841.25

To pay Well Equipment Manufacturing Corp., J. H. Robinson, Sec.-Treas., Box 2593, Houston, Texas, for refund of overpayment of Franchise Taxes paid due to mistake of fact . . . \$447.50

To pay Estate of Bert Brooks, A. H. Drebing, Trust Officer, Mercantile National Bank, Dallas, Texas, for refund of overpayment of Inheritance Tax, paid due to mistake of fact . . . \$954.56

To pay Yellow Cab Company, San Antonio, Texas, for refund of overpayment of Franchise Taxes, paid due to mistake of fact . . . \$723.75

To pay Antonio A. Perez, 2404 Mier Street, Laredo, Texas, for refund of Ad Valorem Tax paid on property which is a homestead, paid erroneously . . . \$7.29

To pay Connecticut General Life Insurance Company, Hartford 15, Connecticut, for refund of overpayment of Texas Premium Tax, paid due to mistake of computations which is mistake of fact . . . \$8,092.49

To pay E. N. Strong, Fannin, Texas, for refund of personal outlay of funds on Fannin State Park . . . \$85.00

To pay Court of Civil Appeals, Ninth Supreme District, Elizabeth LeBlanc, Clerk, Beaumont, Texas, for bills outstanding for books—bills carried over from past bienniums . \$708.95

To pay Amador P. Juan de Dios, care of Consulado de Colombia, Houston, Texas, for refund of Motor Ve-

hicle Sales Tax on automobile; Consular Officers and Employees are exempt from all kinds of charges incident to licensing, registration, use or circulation of vehicles in Texas, \$28.64

To pay El Campo Rice Milling Company, El Campo, Texas, for refund of overpayment of Franchise Taxes paid under duress . . . \$3,764.63

To pay Firemen's Relief and Retirement Fund, care of R. L. Kempner, Sec.-Treas., of the Board of Firemen's Relief and Retirement Board of Trustees, Galveston, Texas, for money appropriated in 1951-1952 and not received . . . \$3,957.26

To pay Expressmen's Mutual Life Insurance Company, C. J. Kleinklaus, Secretary, 60 Hudson Street, New York, N. Y., for overpayment of premiums, paid due to mistake of fact . . . \$165.35

To pay Ed. Freidrich Estate, Floyd McGowan, Jr., Attorney for Estate, Milam Building, San Antonio, Texas, for refund of overpayment of Inheritance Tax paid due to mistake of fact . . . \$655.25

To pay Robert H. Hodges, Box 11, Ore City, Texas, for Warrant No. 259206 on which the Statutes of Limitations prohibits payment . . . \$46.30

To pay Houston Barge Line, Inc., B. K. Parker, Jr., Pres., Box 2185, Houston 1, Texas, for refund of overpayment of Franchise Tax paid due to mistake of fact . . . \$487.50

To pay Texas Barge Line, Inc., Box 1315, Houston, Texas, for refund of overpayment of Franchise Taxes paid due to mistake of fact . . . \$630.15

To pay Plum Creek Village, Inc., N. H. Mitchell, Secretary-Treasurer, 4522 Griggs Road, Houston, Texas, for refund of overpayment of Franchise Taxes paid under implied duress . . . \$986.00

To pay John G. Prude, Director of Public Service, Sul Ross State Teachers College, Alpine, Texas, for refund of payment for State-owned land, paid under mistake of title . \$847.58

To pay Silkensen-Shaw Furniture Company, J. S. Shaw, President, 515 21st Street, Galveston, Texas, for refund of double payment of Ad Valorem Taxes paid due to mistake of fact . . . \$82.57

To pay South Ellis County Fair Association, Harold V. Speer, Sec-

retary-Treasurer, Italy, Texas, for refund of overpayment of Franchise Taxes paid due to mistake of fact \$65.88

To pay Texas Oil Profit Sharing Company, Joe H. Reynolds, Attorney, Houston, Texas, for overpayment of Franchise Tax paid under duress \$602.00

To pay Gibraltar Savings and Building Association, Houston 1, Texas, for refund of overpayment of Ad Valorem Tax, paid due to mistake of fact \$4.16

To pay Daily Court Review, 3412 West Lamar, Houston, Texas, for publication costs, which is the pro-rata share owned by the State of Texas \$217.35

To pay The Burdick Company, care of Sanders, Lefkowitz and Green, Attorneys, 16th Floor Kirby Building, for refund of overpayment of Franchise Tax paid due to mistake of fact \$107.50

To pay White House Dry Goods Co., Beaumont, Texas, for refund of overpayment of Franchise Tax paid under duress \$31.25

To pay O. N. Bruck, Postmaster at Austin, Texas, for refund of money order made erroneously \$5.00

To pay Atlas Development Company, 335 West Building, Houston, Texas, for refund of overpayment of Franchise Tax paid due to mistake of fact \$112.50

To pay Quintana Gas Company, City National Bank Building, Houston, Texas, for overpayment of Franchise Tax paid due to mistake of fact \$1,182.50

To pay Tomas Dominguez, Box 83, Zapata, Texas, refund of Ad Valorem Taxes paid erroneously on homestead \$40.77

Section 2. There is hereby appropriated \$467.22 out of the Teachers Retirement Fund to pay the following amounts:

To pay Annie B. Ramsey, care of W. A. Ramsey, First National Bank, Box 2479, San Antonio, Texas, for Warrant No. 498303 on which the Statutes of Limitations prohibits payment \$95.63

To pay Lucy B. Carter, 2118 Milford Street, Houston, Texas, for Warrant No. 407154 on which the Stat-

utes of Limitations prohibits payment \$57.64

To pay Sudie Hancock, 4919 Jackson Street, Houston 4, Texas, for Warrant No. 537527 on which the Statutes of Limitations prohibits payment \$106.50

To pay Eva M. Davis, 1501 South Sheppard Drive, Houston, Texas, for Warrant No. 497024 on which the Statutes of Limitations prohibits payment \$81.93

To pay Selma E. Calhoun, 809 East 7th Avenue, Corsicana, Texas, for Warrant No. 472117 on which the Statutes of Limitations prohibits payment \$125.52

Section 3. There is hereby appropriated \$93.00 out of the Old Age Assistance Fund to pay the following amounts:

To pay Hillcrest Memorial Hospital, care of Vernon L. Smith, Attorney, 403 Amicable Bldg., Waco, Texas, for Warrant No. 713164, issued to Fletcher Lane, deceased, and endorsed by Neil W. Lane, son of Fletcher Lane; on which the Statutes of Limitations prohibits payment \$41.00

To pay L. E. Meadows Grocery, Argyle, Texas, for Warrant No. 430444, issued to Julia M. Davis, and endorsed by Julia M. Davis, on which the Statutes of Limitations prohibits payment \$23.00

To pay George C. Cox, Box 776, Plainview, Texas, for Warrant No. 954351 on which the Statutes of Limitations prohibits payment \$29.00

Section 4. There is hereby appropriated \$1,283.47 out of the Highway Fund to pay the following amounts:

To pay Austin National Bank, Austin Texas, for Warrant No. 749580 issued to Herbert J. Lehwald and endorsed by Herbert J. Lehwald, on which the Statutes of Limitations prohibits payment \$213.47

To pay Mrs. H. T. Russell, care of J. R. Black, Jr., Attorney, 516 Alexander Bldg., Abilene, Texas, for recovery of judgment against the State \$375.00

To pay Nat Henderson, care of O. L. Miller, Justice of the Peace, San Angelo, Texas, for recovery of judgment against the State \$195.00

To pay Mrs. C. C. Hannis, care of Brooks, Fergus, Neinir, Brooks, At-

torneys, 605 Alexander Bldg., Abilene, Texas, for recovery of judgment against the State \$500.00

Section 5. There is hereby appropriated out of the School Foundation Fund \$6,179.00 to pay the following amounts:

To pay DeWitt County Transportation Fund, care of W. F. Hancock, Supt., Cuero, Texas, for Warrant No. 682271 on which the Statutes of Limitations prohibits payment..... \$5,621.00

To pay DeWitt County Common School District, care of W. F. Hancock, Supt., Cuero, Texas, for Warrant No. 682270 on which the Statutes of Limitations prohibits payment \$558.00

Section 6. There is hereby appropriated \$70.00 out of the Special Fund to pay the following amounts:

To pay Frank Wallace, Arlington, Texas, for Warrants No. 455021 and 455022 issued to Frank Wallace on which the Statutes of Limitations prohibits payment. No. 455021 in the amount of \$30.00 and 455022 in the amount of \$40.00, making a total of \$70.00

Section 7. There is hereby appropriated out of the Unemployment Fund \$116.50 to pay the following amounts:

To pay Evelyn E. Witten, 410 College, Waxahachie, Texas, for Warrant No. 515915 issued to Evelyn E. Witten and endorsed by Evelyn E. Witten, on which the Statutes of Limitations prohibits payment \$28.00

To pay Bob Haynes, Route 3, Box 34, Stephenville, Texas, for Warrant No. 305665 issued to S. J. Boaze, on which the Statutes of Limitations prohibits payment \$12.50

To pay Jack's Modern Court, care of J. W. Nesbitt, Mgr., 1245 Glade-water Rd., Longview, Texas, for Warrant No. 460611 issued to Aubrey M. Johnson, on which the Statutes of Limitations prohibits payment \$36.00

To pay American National Bank, Austin, Texas, for Warrant No. 334807 issued to Dorothy Oestreicher and endorsed by Dorothy Oestreicher, paid by American National Bank, on which the Statutes of Limitations prohibits payment \$40.00

Section 8. There is hereby appropriated \$305.17 out of the Highway Motor Fuel Fund to pay the following amounts:

To pay H. M. Hawk, Perryton, Texas, on Warrant No. 217110 on which the Statutes of Limitations prohibits payment \$305.17

Section 9. There is hereby appropriated \$423.51 out of the Gas Motor Fuel Fund to pay the following amounts:

To pay Hayes-Sammons Chemical Company, Mission, Texas, for Motor Fuel Tax Refund \$423.51

Section 10. There is hereby appropriated \$83.74 out of the Motor Fuel Tax Fund to pay the following amounts:

To pay Lee Womack, Motor Fuel Tax Division, Comptroller's Department, Austin, Texas, for reimbursement of travel expense incurred on State business \$57.35

To pay Lloyd Stecks, care of Ideal Business Service, Kimball, Nebraska, for Warrant No. 149277 on which the Statutes of Limitations prohibits payment \$26.39

Section 11. There is hereby appropriated \$79.01 out of the Motor Fuel Refund Fund to pay the following amounts:

To pay Earl Chapmond, Winters, Texas, on Warrant No. 85219 on which the Statutes of Limitations prohibits payment \$67.31

To pay P. B. Gentry, Jr., 1802 Crockett Street, Amarillo, Texas, for Warrant No. 708745 on which the Statutes of Limitations prohibits payment \$11.70

Section 11-A. There is hereby appropriated out of the Dental Registration Fund \$406.85 to pay the following amounts:

To pay Tom A. Garner, care of Texas State Board of Dental Examiners, Austin, Texas, for reimbursement of travel expense \$208.90

To pay W. J. Nelson, care of Texas State Board of Dental Examiners, Austin, Texas, for reimbursement of travel expense \$197.95

Section 11-B. There is hereby appropriated out of the Game Fund to pay the following amounts:

To pay Sanders Store, Dundee, Texas, for supplies and groceries delivered to the State Hatchery at Archer, Texas \$143.69

To pay St. John's Shrimp Company, Felice Golino, owner, Patterson, La., for refund of 30 nonresident commercial fishing licenses at \$200.00 each, less 30 resident fishing licenses at \$3.00 each. The Act requiring such licenses was declared unconstitutional \$5,910.00

To pay Ramos Shrimp Company, J. S. Ramos, owner, Patterson, La., for refund of 23 nonresident commercial fishing licenses at \$200.00 each, less 23 resident fishing licenses at \$3.00 each. The Act requiring such licenses was declared unconstitutional \$4,531.00

The following individual claims are for refund of nonresident commercial fishing license in the amount set by each name. The Act requiring such license was declared unconstitutional.

To pay Berman Cheramie, Grand Isle, La., license for 1947 \$200.00

To pay Alvin Collins, General Delivery, Aransas Pass, Texas, license for 1947 and 1948 \$400.00

To pay Guy Aloisio, Box 1094, Aransas Pass, Texas, license for 1946 and 1947 \$400.00

To pay Leonard Aloisio, General Delivery, Aransas Pass, Texas, license issued in 1945 \$200.00

To pay Cornelius Anenson, Box 1707, Berwick, La., for license issued in 1945 \$200.00

To pay Joseph Augustine, Jr., care of Independent Fish Co., Brownsville, Texas, for license issued in 1947 \$200.00

To pay Antony Boudoin, Box 1343, Aransas Pass, Texas, for license issued in 1946 \$200.00

To pay Ashley A. Boudreaux, Berwick, La., for license issued in 1945 \$200.00

To pay Felix Bruney, care of Texas Fishermens Co-op, Aransas Pass, Texas, for license issued in 1947 \$200.00

To pay Emery Casso, General Delivery, Aransas Pass, Texas, for license issued in 1946 \$200.00

To pay Norman J. Cheramie, 4002 Timson Blvd., Corpus Christi, Texas, for license issued in 1946 \$200.00

To pay Roy Collette, Aransas Pass, Texas, for license issued in 1947 and 1948 \$400.00

To pay Herman Domangue, General Delivery, Aransas Pass, Texas, for license issued in 1946 \$200.00

To pay J. W. Goodin, General Delivery, Aransas Pass, Texas, for license issued in 1947 \$200.00

To pay William Gooding, Box 788, Aransas Pass, Texas, for license issued in 1947 \$200.00

To pay Wilson D. Gooding, General Delivery, Aransas Pass, Texas, for license issued in 1947 \$200.00

To pay Donald W. Green, Box 1707, Berwick, La., for license issued in 1945 \$200.00

To pay Raymond Guidry, General Delivery, Aransas Pass, Texas, for license issued in 1947 and 1948 \$400.00

To pay Willie Guidry, General Delivery, Aransas Pass, Texas, for license issued in 1947 and 1948 \$400.00

To pay William D. Guthrie, General Delivery, Aransas Pass, Texas, for license issued in 1945 \$200.00

To pay Ossie L. Hammond, Cottonport, La., for license issued in 1944 \$200.00

To pay Clyde Hebert, Box 1109, Aransas Pass, Texas, for license issued in 1947 \$200.00

To pay Mrs. John Jacinto, 506 2nd St., Franklin, La., for license issued in 1946 and 1947 \$400.00

To pay Alton Keller, 5237 13th St., Port Arthur, Texas, for license issued in 1947 \$200.00

To pay Harry Keller, General Delivery, Aransas Pass, Texas, for license issued in 1946 \$200.00

To pay Sidney Keller, General Delivery, Aransas Pass, Texas, for license issued in 1946 \$200.00

To pay Paul Kullman, General Delivery, Aransas Pass, Texas, for license issued in 1946 \$200.00

To pay Jules LeBlanc, Box 521, Aransas Pass, Texas, for license issued in 1944 \$200.00

To pay Earl LeMaire, General Delivery, Aransas Pass, Texas, for license issued in 1946 and 1947 \$400.00

To pay Ember LeMaire, General Delivery, Aransas Pass, Texas, for li-

cense issued in 1946, 1947 and 1948 \$600.00

To pay John C. Martin, General Delivery, Aransas Pass, Texas, for license issued in 1948 \$200.00

To pay Antoine B. Melancon, General Delivery, Aransas Pass, Texas, for license issued in 1946 \$200.00

To pay Louis Miller, General Delivery, Aransas Pass, Texas, for license issued in 1947 and 1948 \$400.00

To pay Emanuel Nagim, care of Texas Fishermens Co-op Association, Aransas Pass, Texas, for license issued in 1947 \$200.00

To pay Hebert Picou, Box 1126, Corpus Christi, Texas, for license issued in 1946 \$200.00

To pay Edwin Sundin, General Delivery, Aransas Pass, Texas, for license issued in 1946 \$200.00

To pay Eugene M. Webster, General Delivery, Aransas Pass, Texas, for license issued in 1946 \$200.00

To pay Vincent Glorioso, General Delivery, Aransas Pass, Texas, for license issued in 1948 \$200.00

To pay Blaise Hebert, General Delivery, Aransas Pass, Texas, for license issued in 1946 and 1947, \$400.00

To pay Wallace Herman Cubbedge, Box 314, Aransas Pass, Texas for license issued in 1945, 1947 and 1948 \$600.00

To pay Herman Billie Cubbedge, Box 314, Aransas Pass, Texas, for license issued in 1947 and 1948 \$400.00

To pay Ivy Hebert, Box 701, Aransas Pass, Texas, for license issued in 1946 and 1947 \$400.00

Section 12. It is specifically provided herein that before any claim shall be paid from funds hereby appropriated, the same shall have the approval of the State Auditor, the State Comptroller and the Attorney General. It is further provided that any claim involving the refund of a franchise tax shall carry the approval of the Secretary of State in addition to the other officials herein named.

Section 13. That the Comptroller is hereby authorized and directed to issue a warrant or warrants on the State Treasury in favor of each of the persons, firms, or corporations named herein, in the amounts set opposite their respective names, and

shall mail or deliver to each of the said persons, firms, or corporations at their respective addresses, warrant or warrants in payment of said claim or claims, and said persons, firms or corporations shall duly receipt the Comptroller for said warrant or warrants in payment of said claim or claims.

Section 14. The facts that the claims herein appropriated are past due, and the persons, firms and corporations to whom the same are payable are being deprived of the proceeds thereof, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House, be, and the same is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

Conference Committee Report on House Bill 441

Senator Rogers of Childress submitted the following Conference Committee Report on H. B. No. 441:

Austin, Texas,
May 25, 1953.

Honorable Reuben Senterfitt, Speaker of the House of Representatives.

Hon. Ben Ramsey, President of the Senate.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 441, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

ROGERS of Childress
HARDEMAN
AIKIN
ROGERS of Travis
RUSSELL

On the part of the Senate.

REEVES
BRADSHAW
ALLEN
CROSTHWAIT
SAUL

On the part of the House.

H. B. No. 441. A bill to be entitled "An Act amending Section 7, House Bill 611, Chapter 562, page 914, General Laws of the State of Texas, Regular Session, 47th Legislature, Acts

of 1941, being Section 7 of Article 695c, Vernon's Texas Civil Statutes, by adding a new section to be known as Section 7-A; creating a new Division within the State Department of Public Welfare to be known as the "Commodity Distribution Division," prescribing its powers, duties, and functions; providing for the employment of personnel necessary to carry out the provisions of this Act; authorizing the State Department of Public Welfare to enter into agreements with the Federal Government and with Distributing Agents for the purpose of effectively carrying out the provisions of this Act; providing for assessments for the handling of the commodities and placing a limitation on the amount of the assessments, and providing for the safeguard and expenditure of the funds received in the form of assessments; providing for the purchase of equipment and for the transfer of equipment to the State Department of Public Welfare; providing for the disposition of the funds and equipment upon the termination of the Program; authorizing the Executive Director of the State Department of Public Welfare to appoint advisory boards; providing for the classification and the payment of salaries for employees and for the payment of other expenses; providing a repealing clause, a saving clause, and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 7 of House Bill 611, Chapter 562, page 914, General Laws of the State of Texas, Regular Session, 47th Legislature, Acts of 1941, being Section 7 of Article 695c, Vernon's Texas Civil Statutes, is hereby amended by adding a new section to be known as Section 7-A.

"Section 7-A. There is hereby created in the State Department of Public Welfare a new Division to be known as the 'Commodity Distribution Division.' The State Department of Public Welfare shall be responsible for the distribution of such commodities as may be made available to the State Department of Public Welfare by the United States Department of Agriculture or any other federal agency or department. The State Department of Public Welfare shall establish policies of operation and place into effect appropriate rules and regulations to assure the widest and most

efficient distribution of agricultural commodities to eligible recipients of the State. The Department shall have the authority to establish Distribution Districts on a geographical basis and to employ such Distributing Agents as may be determined necessary by the Executive Director of the State Department of Public Welfare and/or make such arrangements to efficiently effect the distribution of commodities as the Department shall deem necessary.

"The State Department of Public Welfare shall select and is hereby authorized to employ such personnel as it may deem necessary to carry out the provisions of this Act.

"In order to effectuate the provisions of this Act, the State Department of Public Welfare is hereby authorized and empowered to enter into agreements with the United States Department of Agriculture and any other federal agency or department as a prerequisite to the allocation of commodities, and with eleemosynary institutions, schools and other eligible agencies and recipients of commodities. The State Department of Public Welfare is further authorized and empowered to enter into contracts or agreements with any state institutions or agencies or with private agencies for the processing of perishable commodities in order that they may be preserved for subsequent distribution to eligible recipients, such contracts or agreements to be on a nonprofit basis, with the cost of processing to be borne by each recipient on a pro-rata basis in relation to the amount of the processed commodities received by the respective Districts. It is further authorized and empowered to levy and assess reasonable handling charges against such recipients to the extent necessary in the distribution of commodities provided that the total operations will be conducted on a nonprofit basis. Such assessments shall be uniform in each Distribution District and at a rate agreed upon by the State Department of Public Welfare, provided that such assessments shall not exceed Forty (40c) Cents per annum per capita recipient, the assessments to be made by the State Department of Public Welfare at such times and in such amounts, not to exceed the limitation herein stated, as the Department deems necessary for the proper administration of this program.

"It is further provided that the

money to be assessed shall be paid to the State Department of Public Welfare and shall be used for no other purposes except for the necessary economic operation of the program subject to rules and regulations which may be established by the State Department of Public Welfare, by the provisions of this Act, and by the provisions of the general appropriations acts of the Legislature. The funds received by the State Department of Public Welfare shall be deposited in a separate account in the State Treasury, and shall be subject to withdrawals upon authorization by the Executive Director of said Department. The State Department of Public Welfare is hereby authorized and empowered to establish in each Distribution District, under the direction of the State Department of Public Welfare, a revolving fund or petty cash expense fund for the purpose of making emergency payments for services or goods, or other necessary emergency activities. The amounts of such funds shall be set by the Executive Director of the State Department of Public Welfare in relation to the anticipated needs of the respective Districts and in accordance with rules and regulations prescribed by the State Department of Public Welfare. Creation and reimbursement of said revolving fund shall be paid out of assessments collected by the State Department of Public Welfare from the recipients of commodities.

"The Agent shall be bonded and it shall be the duty of the State Department of Public Welfare to audit his records at least once annually and at any other time as deemed expedient by the Department.

"The revolving fund at the disposal of each Distributing Agent shall be deposited in a bank designated by the Executive Director of the State Department of Public Welfare in an account to be known as the 'Commodity Distribution Fund' and such money shall be expended upon the authority of the Distributing Agent under the direction of the State Department of Public Welfare. The Distributing Agent will make a monthly report to the State Department of Public Welfare of funds received and disbursed. In the event of the termination of the Commodity Distribution Program, the money remaining on hand in the 'Commodity Distribution Fund' in each District, after all due and just accounts are paid, will be

refunded to the contributors on a pro rata basis. In the event of the termination of the Commodity Distribution Program, the money remaining on hand in the separate special fund in the bank in Austin created pursuant to and in accordance with the provisions of this Act, after all due and just accounts are paid will be refunded to the contributors on a pro rata basis.

	1954	1955
Travel	\$ 6,600	\$ 6,600
Other operating expense, including communications, stamps, telephone, rent, bond premiums, supplies, printing and stationery	5,600	5,600
Office furniture and equipment	2,000	2,000
For Initially Creating Revolving Funds	17,000
Grand Total	\$67,476	\$50,476

Sec. 3. All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict only.

Sec. 4. If any section, subsection, paragraph, sentence, clause, phrase, or word in this Act, or application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining portions of this Act and the Legislature hereby declares it would have passed such remaining portions despite such invalidity.

Sec. 5. The fact that the United States Department of Agriculture will make available to the State of Texas valuable commodities if facilities are made available for the distribution of such commodities; the fact that the commodities which are available are particularly needed in the eleemosynary institutions, and if distributed in the quantity which would be made available under the terms of the Act, would greatly increase the amount of food available for the institutions, and are needed for school lunch programs, and in other charitable institutions; the fact that there is no appropriation which might be used for the efficient administration of the program; and the fact that unless means are provided so that the State may distribute these commodities, the State of Texas will not receive the many thousands of dollars worth of commodities offered by the United States Department of Agri-

culture and which are now being distributed in other States, and the needy people of the State of Texas and the various schools and other public institutions which are in need of the commodities will be deprived of the benefit of those commodities, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three (3) several days in each House and the Constitutional rule requiring bills to take effect and go into force ninety (90) days after adjournment be suspended, and the same are hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

"All equipment or property now in use by the various Distributing Agents over the State which was purchased from funds made available directly or indirectly from the distribution of commodities are hereby transferred to the State Department of Public Welfare and from and after the effective date of this Act shall be the responsibility of the State Department of Public Welfare. In the event of the termination of the Commodity Distribution Program, such equipment, or any subsequently purchased from the 'Commodity Distribution Fund,' shall be sold on the basis of competitive bids; the proceeds to be deposited in the 'Commodity Distribution Fund' in the respective Districts and liquidated as provided elsewhere in this Act.

"The State Department of Public Welfare is hereby authorized to sell used commodity containers and the proceeds from the sale of the used commodity containers in each District shall be deposited in the special fund known as the 'Commodity Distribution Fund' to be used for the purpose of furthering the commodity program and expended as hereinbefore provided.

"The State Department of Public Welfare may establish on a State and/or District level Advisory Boards to serve in advisory capacity to facilitate the operation of the Commodity Distribution Program; such Advisory Boards shall be of such size, membership, and experience as may be determined by the Executive Director of the Department of Public Welfare to be essential for the accomplishment of the purposes of this Act not in conflict with or duplication of other laws on this subject."

Sec. 2. Out of the assessments levied

for the handling of the commodities, there is hereby appropriated the sum of Seventeen Thousand (\$17,000) Dollars for the fiscal year ending August 31, 1953, there is also appropriated the following amounts:

	For Years Ending	
	Aug. 31 1954	Aug. 31 1955
Director of Commodity Distribution	\$ 6,600	\$ 6,600
Assistant Director of Commodity Distribution	4,200	4,200
Secretary	2,768	2,768
Processing Supervisor (Allocations)	3,732	3,732
Senior Accountants (2 @ \$4,140)	8,280	8,280
Clerks (2 @ \$2,768)	5,536	5,536
Stenographers (2 @ \$2,580)	5,160	5,160
Subtotal, salaries	\$36,276	\$36,276
Travel	\$ 6,600	\$ 6,600
Other operating expenses, including communications, stamps, telephone, rent, bond premiums, supplies, printing and stationery	5,600	5,600
Office furniture and equipment	2,000	2,000
For Initially Creating Revolving Funds	17,000	...
Grand Total	\$67,476	\$50,476

Sec. 3. All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict only.

Sec. 4. If any section, subsection, paragraph, sentence, clause, phrase, or word in this Act, or application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining portions of this Act, and the Legislature hereby declares it would have passed such remaining portions despite such invalidity.

Sec. 5. The fact that the United States Department of Agriculture will make available to the State of Texas valuable commodities if facilities are made available for the distribution of such commodities; the fact that the commodities which are available are particularly needed in the eleemosynary institutions, and if distributed in the quantity which would be made available under the terms of the Act, would greatly in-

crease the amount of food available for the institutions, and are needed for school lunch programs, and in other charitable institutions; the fact that there is no appropriation which might be used for the efficient administration of the program; and the fact that unless means are provided so that the State may distribute these commodities, the State of Texas will not receive the many thousands of dollars worth of commodities offered by the United States Department of Agriculture and which are now being distributed in other States, and the needy people of the State of Texas and the various schools and other public institutions which are in need of the commodities will be deprived of the benefit of those commodities, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three (3) several days in each House and the Constitutional rule requiring bills to take effect and go into force ninety (90) days after adjournment be suspended, and the same are hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

**Senate Bill 273 with
House Amendments**

Senator Willis called S. B. No. 273 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Willis moved that the Senate concur in the House amendments.

The motion prevailed.

Reports of Standing Committees

By unanimous consent, Senator Aikin submitted the following report:

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Edu-

cation, to whom was referred H. B. No. 755, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

By unanimous consent, Senator Secrest submitted the following report:

Austin, Texas,
May 25, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 850, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman.

**Conference Committee on House
Bill 110**

Senator Hardeman called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 110 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Weinert, Hardeman, Lane, Russell and Rogers of Travis.

Recess

On motion of Senator Moffett, the Senate at 6:20 o'clock p. m. took recess until 10:30 o'clock a. m. tomorrow.

Record of Vote

Senator Colson asked to be recorded as voting "nay" on the motion to recess.

In Memory of
Mrs. Georgia M. Fannin

Senator Colson offered the following resolution:

(Senate Resolution 301)

Whereas, Our Heavenly Father, in His infinite wisdom, did on the 15th day of December, 1952, call from her earthly home, Mrs. Georgia M. Fannin; and

Whereas, Mrs. Fannin was born in Travis County on May 31, 1876, and moved to Madisonville, Texas, when a small child; and

Whereas, She was married to J. W. Fannin on December 6, 1900; and

Whereas, Mrs. Fannin always contributed generously of her time, her means and her talents to the end that the welfare of her fellow citizens might be improved; and

Whereas, She was a faithful wife and mother and filled all the years of her life with a devoted service to her family, her friends and her community; and

Whereas, Mrs. Fannin is survived by her four children, Miss Ruby Fannin, Mrs. John Burtis Byers, W. H. Fannin and Sidney Fannin; now, therefore, be it

Resolved, By the Senate of the Fifty-third Legislature of the State of Texas, that the sympathy of this Body be extended to her bereaved family; that they be furnished official copies of this resolution; that a page be set aside in the Senate Journal as a memorial to her; and, be it further

Resolved, That when the Senate adjourns today, it do so in solemn tribute to the memory of Mrs. Georgia M. Fannin.

The resolution was read and was adopted by a rising vote of the Senate.